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THE

HISTORY OF ENGLAND

FROM

THE ACCESSION OF JAMES THE SECOND.

BY

THOMAS BABINGTON MACAULAY.

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VOL. V.

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CHAPTER XIII.

(CONTINUED.)

The Highlanders, while they continued to be a nation living under a peculiar polity, were in one sense better and in another sense worse fitted for military purposes than any other nation in Europe. The individual Celt was morally and physically well qualified for war, and especially for war in so wild and rugged a country as his own. He was intrepid, strong, fleet, patient of cold, of hunger, and of fatigue. Up steep crags, and over treacherous morasses, he moved as easily as the French household troops paced along the great road from Versailles to Marly. He was accustomed to the use of weapons and to the sight of blood: he was a fencer; he was a marksman; and, before he had ever stood in the ranks, he was already more than half a soldier.

Military character of the Highlanders.

As the individual Celt was easily turned into a soldier, so a tribe of Celts was easily turned into a battalion of soldiers. All that was necessary was that the military organization should be conformed to the patriarchal organization. The Chief must be Colonel: his uncle or his brother must be Major: the tacksmen, who formed what may be called the peerage of the little community, must be the Captains: the company of each Captain must consist of those peasants who lived on his land, and whose

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names, faces, connections, and characters, were perfectly known to him: the subaltern officers must be selected among the Duinhe Wassels, proud of the eagle's feather: the henchman was an excellent orderly: the hereditary piper and his sons formed the band: and the clan became at once a regiment. In such a regiment was found from the first moment that exact order and prompt obedience in which the strength of regular armies consists. Every man, from highest to lowest, was in his proper place, and knew that place perfectly. It was not necessary to impress by threats or by punishment on the newly enlisted troops the duty of regarding as their head him whom they had regarded as their head ever since they could remember any thing. Every private had, from infancy, respected his corporal much and his Captain more, and had almost adored his Colonel. There was therefore no danger of mutiny. There was as little danger of desertion. Indeed the very feelings which most powerfully impel other soldiers to desert kept the Highlander to his standard. If he left it, whither was he to go? All his kinsmen, all his friends, were arrayed round it. To separate himself from it was to separate himself for ever from his family, and to incur all the misery of that very homesickness which, in regular armies, drives so many recruits to abscond at the risk of stripes and of death. When these things are fairly considered, it will not be thought strange that the Highland clans should have occasionally achieved great martial exploits.

But those very institutions which made a tribe of Highlanders, all bearing the same name, and all subject to the same ruler, so formidable in battle, disqualified the nation for war on a large scale. Nothing was easier than to turn clans into efficient regiments; but nothing was more difficult than to combine these regiments in such a manner as to form an efficient army. From the shepherds and herdsmen who fought in the ranks up to the chiefs, all was harmony and order. Every man

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looked up to his immediate superior, and all looked up to the common head. But with the chief this chain of subordination ended. He knew only how to govern, and had never learned to obey. Even to royal proclamations, even to Acts of Parliament, he was accustomed to yield obedience only when they were in perfect accordance with his own inclinations. It was not to be expected that he would pay to any delegated authority a respect which he was in the habit of refusing to the supreme authority. He thought himself entitled to judge of the propriety of every order which he received. Of his brother chiefs, some were his enemies and some his rivals. It was hardly possible to keep him from affronting them, or to convince him that they were not affronting him. All his followers sympathized with all his animosities, considered his honour as their own, and were ready at his whistle to array themselves round him in arms against the commander in chief. There was therefore very little chance that by any contrivance any five clans could be induced to cooperate heartily with one another during a long campaign. The best chance, however, was when they were led by a Saxon. It is remarkable that none of the great actions performed by the Highlanders during our civil wars was performed under the command of a Highlander. Some writers have mentioned it as a proof of the extraordinary genius of Montrose and Dundee that those captains, though not themselves of Gaelic race or speech, should have been able to form and direct confederacies of Gaelic tribes. But in truth it was precisely because Montrose and Dundee were not Highlanders, that they were able to lead armies composed of Highland clans. Had Montrose been chief of the Camerons, the Macdonalds would never have submitted to his authority. Had Dundee been chief of Clanronald, he would never have been obeyed by Glengarry. Haughty and punctilious men, who scarcely acknowledged the King to be their superior, would not have endured the superiority of a

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neighbour, an equal, a competitor. They could far more easily bear the preeminence of a distinguished stranger. Yet even to such a stranger they would allow only a very limited and a very precarious authority. To bring a chief before a court martial, to shoot him, to cashier him, to degrade him, to reprimand him publicly, was impossible. Macdonald of Keppoch or Maclean of Duart would have struck dead any officer who had demanded his sword, and told him to consider himself as under arrest; and hundreds of claymores would instantly have been drawn to protect the murderer. All that was left to the commander under whom these potentates condescended to serve was to argue with them, to supplicate them, to flatter them, to bribe them; and it was only during a short time that any human skill could preserve harmony by these means. For every chief thought himself entitled to peculiar observance; and it was therefore impossible to pay marked court to any one without disobliging the rest. The general found himself merely the president of a congress of petty kings. He was perpetually called upon to hear and to compose disputes about pedigrees, about precedence, about the division of spoil. His decision, be it what it might, must offend somebody. At any moment he might hear that his right wing had fired on his centre in pursuance of some quarrel two hundred years old, or that a whole battalion had marched back to its native glen, because another battalion had been put in the post of honour. A Highland bard might easily have found in the history of the year 1689 subjects very similar to those with which the war of Troy furnished the great poets of antiquity. One day Achilles is sullen, keeps his tent, and announces his intention to depart with all his men. The next day Ajax is storming about the camp, and threatening to cut the throat of Ulysses.

Hence it was that, though the Highlanders achieved some great exploits in the civil wars of the seventeenth century, those

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exploits left no trace which could be discerned after the lapse of a few weeks. Victories of strange and almost portentous splendour produced all the consequences of defeat. Veteran soldiers and statesmen were bewildered by those sudden turns of fortune. It was incredible that undisciplined men should have performed such feats of arms. It was incredible that such feats of arms, having been performed, should be immediately followed by the triumph of the conquered and the submission of the conquerors. Montrose, having passed rapidly from victory to victory, was, in the full career of success, suddenly abandoned by his followers. Local jealousies and local interests had brought his army together. Local jealousies and local interests dissolved it. The Gordons left him because they fancied that he neglected them for the Macdonalds. The Macdonalds left him because they wanted to plunder the Campbells. The force which had once seemed sufficient to decide the fate of a kingdom melted away in a few days; and the victories of Tippermuir and Kilsyth were followed by the disaster of Philiphaugh. Dundee did not live long enough to experience a similar reverse of fortune; but there is every reason to believe that, had his life been prolonged one fortnight, his history would have been the history of Montrose retold.

Dundee made one attempt, soon after the gathering of the clans in Lochaber, to induce them to submit to the discipline of a regular army. He called a council of war to consider this question. His opinion was supported by all the officers who had joined him from the low country. Distinguished among them were James Seton, Earl of Dunfermline, and James Galloway, Lord Dunkeld. The Celtic chiefs took the other side. Lochiel, the ablest among them, was their spokesman, and argued the point with much ingenuity and natural eloquence. "Our system," — such was the substance of his reasoning, — "may not be the best: but we were bred to it from childhood: we

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understand it perfectly: it is suited to our peculiar institutions, feelings, and manners. Making war after our own fashion, we have the expertness and coolness of veterans. Making war in any other way, we shall be raw and awkward recruits. To turn us into soldiers like those of Cromwell and Turenne would be the business of years: and we have not even weeks to spare. We have time enough to unlearn our own discipline, but not time enough to learn yours." Dundee, with high compliments to Lochiel, declared himself convinced, and perhaps was convinced: for the reasonings of the wise old chief were by no means without weight.*

Quarrels in the Highland army.

Yet some Celtic usages of war were such as Dundee could not tolerate. Cruel as he was, his cruelty always had a method and a purpose. He still hoped that he might be able to win some chiefs who remained neutral; and he carefully avoided every act which could goad them into open hostility. This was undoubtedly a policy likely to promote the interest of James; but the interest of James was nothing to the wild marauders who used his name and rallied round his banner merely for the purpose of making profitable forays and wreaking old grudges. Keppoch especially, who hated the Mackintoshes much more than he loved the Stuarts, not only plundered the territory of his enemies, but burned whatever he could not carry away. Dundee was moved to great wrath by the sight of the blazing dwellings. "I would rather," he said, "carry a musket in a respectable regiment than be captain of such a gang of thieves." Punishment was of course out of the question. Indeed it may be considered as a remarkable proof of the general's influence that Coll of the Cows deigned to apologize for conduct for which in a well governed army he would have been shot.**

As the Grants were in arms for King William, their property

* Memoirs of Sir Ewan Cameron.
** Ibid.

was considered as fair prize. Their territory was invaded by a party of Camerons: a skirmish took place: some blood was shed; and many cattle were carried off to Dundee's camp, where provisions were greatly needed. This raid produced a quarrel, the history of which illustrates in the most striking manner the character of a Highland army. Among those who were slain in resisting the Camerons was a Macdonald of the Glengarry branch, who had long resided among the Grants, had become in feelings and opinions a Grant, and had absented himself from the muster of his tribe. Though he had been guilty of a high offence against the Gaelic code of honour and morality, his kinsmen remembered the sacred tie which he had forgotten. Good or bad, he was bone of their bone: he was flesh of their flesh; and he should have been reserved for their justice. The name which he bore, the blood of the Lords of the Isles, should have been his protection. Glengarry in a rage went to Dundee and demanded vengeance on Lochiel and the whole race of Cameron. Dundee replied that the unfortunate gentleman who had fallen was a traitor to the clan as well as to the King. Was it ever heard of in war that the person of an enemy, a combatant in arms, was to he held inviolable on account of his name and descent? And, even if wrong had been done, how was it to be redressed? Half the army must slaughter the other half before a finger could be laid on Lochiel. Glengarry went away raging like a madman. Since his complaints were disregarded by those who ought to right him, he would right himself: he would draw out his men, and fall sword in hand on the murderers of his cousin. During some time he would listen to no expostulation. When he was reminded that Lochiel's followers were in number nearly double of the Glengarry men, "No matter," he cried, "one Macdonald is worth two Camerons." Had Lochiel been equally irritable and boastful, it is probable that the Highland insurrection would have

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given little more trouble to the government, and that the rebels would have perished obscurely in the wilderness by one another's claymores. But nature had bestowed on him in large measure the qualities of a statesman, though fortune had hidden those qualities in an obscure corner of the world. He saw that this was not a time for brawling: his own character for courage had long been established; and his temper was under strict government. The fury of Glengarry, not being inflamed by any fresh provocation, rapidly abated. Indeed there were some who suspected that he had never been quite so pugnacious as he had affected to be, and that his bluster was meant only to keep up his own dignity in the eyes of his retainers. However this might be, the quarrel was composed; and the two chiefs met, with the outward show of civility, at the general's table.*

Dundee applies to James for assistance.

What Dundee saw of his Celtic allies must have made him desirous to have in his army some troops on whose obedience he could depend, and who would not, at a signal from their colonel, turn their arms against their general and their king. He accordingly, during the months of May and June, sent to Dublin a succession of letters earnestly imploring assistance. If six thousand, four thousand, three thousand, regular soldiers were now sent to Lochaber, he trusted that his Majesty would soon hold a court in Holyrood. That such a force might be spared hardly admitted of a doubt. The authority of James was at that time acknowledged in every part of Ireland, except on the shores of Lough Erne and behind the ramparts of Londonderry. He had in that kingdom an army of forty thousand men. An eighth part of such an army would scarcely be missed there, and might, united with the clans which were in insurrection, effect great things in Scotland.

Dundee received such answers to his applications as encou-

* Memoirs of Sir Ewan Cameron.

raged him to hope that a large and well appointed force would soon be sent from Ulster to join him. He did not wish to try the chance of battle before these succours arrived.* Mackay, on the other hand, was weary of marching to and fro in a desert. His men were exhausted and out of heart. He thought it desirable that they should withdraw from the hill country; and William was of the same opinion.

The war in the Highlands suspended.

In June therefore the civil war was, as if by concert between the generals, completely suspended. Dundee remained in Lochaber, impatiently awaiting the arrival of troops and supplies from Ireland. It was impossible for him to keep his Highlanders together in a state of inactivity. A vast extent of moor and mountain was required to furnish food for so many mouths. The clans therefore went back to their own glens, having promised to reassemble on the first summons.

Meanwhile Mackay's soldiers, exhausted by severe exertions and privations, were taking their ease in quarters scattered over the low country from Aberdeen to Stirling. Mackay himself was at Edinburgh, and was urging the ministers there to furnish him with the means of constructing a chain of fortifications among the Grampians. The ministers had, it should seem, miscalculated their military resources. It had been expected that the Campbells would take the field in such force as would balance the whole strength of the clans which marched under Dundee. It had also been expected that the Covenanters of the West would hasten to swell the ranks of the army of King William. Both expectations were disappointed. Argyle had found his principality devastated, and his tribe disarmed and disorganized. A considerable time must elapse before his standard would be surrounded by an array such as his forefathers had led to battle. The Covenanters of the West were in general unwilling to enlist. They were assuredly not wanting

Scruples of the Covenanters

* Dundee to Melfort, June 27. 1689.

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about taking arms for King William.

in courage; and they hated Dundee with deadly hatred. In their part of the country the memory of his cruelty was still fresh. Every village had its own tale of blood. The grey-headed father was missed in one dwelling, the hopeful stripling in another. It was remembered but too well how the dragoons had stalked into the peasant's cottage, cursing and damning him, themselves, and each other at every second word, pushing from the ingle nook his grandmother of eighty, and thrusting their hands into the bosom of his daughter of sixteen; how the abjuration had been tendered to him; how he had folded his arms and said "God's will be done;" how the Colonel had called for a file with loaded muskets; and how in three minutes the goodman of the house had been wallowing in a pool of blood at his own door. The seat of the martyr was still vacant at the fireside; and every child could point out his grave still green amidst the heath. When the people of this region called their oppressor a servant of the devil, they were not speaking figuratively. They believed that between the bad man and the bad angel there was a close alliance on definite terms; that Dundee had bound himself to do the work of hell on earth, and that, for high purposes, hell was permitted to protect its slave till the measure of his guilt should be full. But, intensely as these men abhorred Dundee, most of them had a scruple about drawing the sword for William. A great meeting was held in the parish church of Douglas; and the question was propounded, whether, at a time when war was in the land, and when an Irish invasion was expected, it were not a duty to take arms. The debate was sharp and tumultuous. The orators on one side adjured their brethren not to incur the curse denounced against the inhabitants of Meroz, who came not to the help of the Lord against the mighty. The orators on the other side thundered against sinful associations. There were malignants in William's army: Mackay's own orthodoxy was pro-

blematical: to take military service with such comrades, and under such a general, would be a sinful association. At length, after much wrangling, and amidst great confusion, a vote was taken; and the majority pronounced that to take military service would be a sinful association. There was however a large minority; and, from among the members of this minority, the Earl of Angus was able to raise a body of infantry, which is still, after the lapse of more than a hundred and sixty years, known by the name of the Cameronian Regiment. The first Lieutenant Colonel was Cleland, that implacable avenger of blood who had driven Dundee from the Convention. There was no small difficulty in filling the ranks; for many West country Whigs, who did not think it absolutely sinful to enlist, stood out for terms subversive of all military discipline. Some would not serve under any colonel, major, captain, serjeant, or corporal, who was not ready to sign the Covenant. Others insisted that, if it should be found absolutely necessary to appoint any officer who had taken the tests imposed in the late reign, he should at least qualify himself for command by publicly confessing his sin at the head of the regiment. Most of the enthusiasts who had proposed these conditions were induced by dexterous management to abate much of their demands. Yet the new regiment had a very peculiar character. The soldiers were all rigid Puritans. One of their first acts was to petition the Parliament that all drunkenness, licentiousness, and profaneness might be severely punished. Their own conduct must have been exemplary: for the worst crime which the most extravagant bigotry could impute to them was that of huzzaing on the King's birthday. It was originally intended that with the military organization of the corps should be interwoven the organization of a Presbyterian congregation. Each company was to furnish an elder; and the elders were, with the chaplain, to form an ecclesiastical court for the suppression of immorality and

The Cameronian regiment raised.

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heresy. Elders, however, were not appointed: but a noted hill preacher, Alexander Shields, was called to the office of chaplain. It is not easy to conceive that fanaticism can be heated to a higher temperature than that which is indicated by the writings of Shields. According to him, it should seem to be the first duty of a Christian ruler to persecute to the death every heterodox subject, and the first duty of every Christian subject to poniard a heterodox ruler. Yet there was then in Scotland an enthusiasm compared with which the enthusiasm even of this man was lukewarm. The extreme Covenanters protested against his defection as vehemently as he had protested against the Black Indulgence and the oath of supremacy, and pronounced every man who entered Angus's regiment guilty of a wicked confederacy with malignants.*

Edinburgh Castle surrenders.

Meanwhile Edinburgh Castle had fallen, after holding out more than two months. Both the defence and the attack had been languidly conducted. The Duke of Gordon, unwilling to incur the mortal hatred of those at whose mercy his lands and life might soon be, did not choose to batter the city. The assailants, on the other hand, carried on their operations with so little energy and so little vigilance that a constant communication was kept up between the Jacobites within the citadel and the Jacobites without. Strange stories were told of the polite and facetious messages which passed between the besieged and the besiegers.

* See Faithful Contendings Displayed, particularly the proceedings of April 29. and 30. and of May 13. and 14. 1689; the petition to Parliament drawn up by the regiment, on July 18. 1689; the protestation of Sir Robert Hamilton of November 6. 1689; and the admonitory Epistle to the Regiment, dated March 27. 1690. The Society people, as they called themselves, seem to have been especially shocked by the way in which the King's birthday had been kept. "We hope," they wrote, "ye are against observing anniversary days as well as we, and that ye will mourn for what ye have done." As to the opinions and temper of Alexander Shields, see his Hind Let Loose.

On one occasion Gordon sent to inform the magistrates that he was going to fire a salute on account of some news which he had received from Ireland, but that the good town need not be alarmed, for that his guns would not be loaded with ball. On another occasion, his drums beat a parley: the white flag was hung out: a conference took place; and he gravely informed the enemy that all his cards had been thumbed to pieces, and begged them to let him have a few more packs. His friends established a telegraph by means of which they conversed with him across the lines of sentinels. From a window in the top story of one of the loftiest of those gigantic houses, a few of which still darken the High Street, a white cloth was hung out when all was well, and a black cloth when things went ill. If it was necessary to give more detailed information, a board was held up inscribed with capital letters so large that they could, by the help of a telescope, be read on the ramparts of the castle. Agents laden with letters and fresh provisions managed, in various disguises and by various shifts, to cross the sheet of water which then lay on the north of the fortress and to clamber up the precipitous ascent. The peal of a musket from a particular half moon was the signal which announced to the friends of the House of Stuart that another of their emissaries had got safe up the rock. But at length the supplies were exhausted; and it was necessary to capitulate. Favourable terms were readily granted: the garrison marched out; and the keys were delivered up amidst the acclamations of a great multitude of burghers.*

Session of Parliament at Edinburgh.

But the government had far more acrimonious and more pertinacious enemies in the Parliament House than in the Castle. When the Estates reassembled after their adjournment, the crown and sceptre of Scotland were displayed with

* Siege of the Castle of Edinburgh, printed for the Bannatyne Club; Lond. Gaz., June $\frac{13}{23}$. 1689.

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the wonted pomp in the hall as types of the absent sovereign. Hamilton rode in state from Holyrood up the High Street as Lord High Commissioner; and Crawford took his seat as President. Two Acts, one turning the Convention into a Parliament, the other recognising William and Mary as King and Queen, were rapidly passed and touched with the sceptre; and then the conflict of factions began.*

Ascendency of the Club.

It speedily appeared that the opposition which Montgomery had organized was irresistibly strong. Though made up of many conflicting elements, Republicans, Whigs, Tories, zealous Presbyterians, bigoted Prelatists, it acted for a time as one man, and drew to itself a multitude of those mean and timid politicians who naturally gravitate towards the stronger party. The friends of the government were few and disunited. Hamilton brought but half a heart to the discharge of his duties. He had always been unstable; and he was now discontented. He held indeed the highest place to which a subject could aspire. But he imagined that he had only the show of power while others enjoyed the substance, and was not sorry to see those of whom he was jealous thwarted and annoyed. He did not absolutely betray the prince whom he represented: but he sometimes tampered with the chiefs of the Club, and sometimes did sly ill turns to those who were joined with him in the service of the Crown.

His instructions directed him to give the royal assent to laws for the mitigating or removing of numerous grievances, and particularly to a law restricting the power and reforming the constitution of the Committee of Articles, and to a law establishing the Presbyterian Church Government.** But it mattered not what his instructions were. The chiefs of the Club were bent on finding a cause of quarrel. The propositions

* Act. Parl. Scot., June 5. June 17. 1689.

** The instructions will be found among the Somers Tracts.

of the Government touching the Lords of the Articles were contemptuously rejected. Hamilton wrote to London for fresh directions; and soon a second plan, which left little more than the name of the once despotic Committee, was sent back. But the second plan, though such as would have contented judicious and temperate reformers, shared the fate of the first. Meanwhile the chiefs of the Club laid on the table a law which interdicted the King from ever employing in any public office any person who had ever borne any part in any proceeding inconsistent with the Claim of Right, or who had ever obstructed or retarded any good design of the Estates. This law, uniting, within a very short compass, almost all the faults which a law can have, was well known to be aimed at the new Lord President of the Court of Session, and at his son the new Lord Advocate. Their prosperity and power made them objects of envy to every disappointed candidate for office. That they were new men, the first of their race who had risen to distinction, and that nevertheless they had, by the mere force of ability, become as important in the state as the Duke of Hamilton or the Earl of Argyle, was a thought which galled the hearts of many needy and haughty patricians. To the Whigs of Scotland the Dalrymples were what Halifax and Caermarthen were to the Whigs of England. Neither the exile of Sir James, nor the zeal with which Sir John had promoted the Revolution, was received as an atonement for old delinquency. They had both served the bloody and idolatrous House. They had both oppressed the people of God. Their late repentance might perhaps give them a fair claim to pardon, but surely gave them no right to honours and rewards.

The friends of the government in vain attempted to divert the attention of the Parliament from the business of persecuting the Dalrymple family to the important and pressing question of Church Government. They said that the old system had been

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abolished; that no other system had been substituted; that it was impossible to say what was the established religion of the kingdom; and that the first duty of the legislature was to put an end to an anarchy which was daily producing disasters and crimes. The leaders of the Club were not to be so drawn away from their object. It was moved and resolved that the consideration of ecclesiastical affairs should be postponed till secular affairs had been settled. The unjust and absurd Act of Incapacitation was carried by seventy four voices to twenty four. Another vote still more obviously aimed at the House of Stair speedily followed. The Parliament laid claim to a Veto on the nomination of the Judges, and assumed the power of stopping the signet, in other words, of suspending the whole administration of justice, till this claim should be allowed. It was plain from what passed in debate that, though the chiefs of the Club had begun with the Court of Session, they did not mean to end there. The arguments used by Sir Patrick Hume and others led directly to the conclusion that the King ought not to have the appointment of any great public functionary. Sir Patrick indeed avowed, both in speech and in writing, his opinion that the whole patronage of the realm ought to be transferred from the Crown to the Estates. When the place of Treasurer, of Chancellor, of Secretary, was vacant, the Parliament ought to submit two or three names to his Majesty; and one of those names his Majesty ought to be bound to select.*

All this time the Estates obstinately refused to grant any supply till their Acts should have been touched with the sceptre. The Lord High Commissioner was at length so much provoked by their perverseness that, after long temporising, he refused to touch even Acts which were in themselves unobjectionable, and to which his instructions empowered him to consent. This

* As to Sir Patrick's views, see his letter of the 7th of June, and Lockhart's letter of the 11th of July, in the Leven and Melville Papers.

state of things would have ended in some great convulsion, if the King of Scotland had not been also King of a much greater and more opulent kingdom. Charles the First had never found any parliament at Westminster more unmanageable than William, during this session, found the parliament at Edinburgh. But it was not in the power of the parliament at Edinburgh to put on William such a pressure as the parliament at Westminster had put on Charles. A refusal of supplies at Westminster was a serious thing, and left the Sovereign no choice except to yield, or to raise money by unconstitutional means. But a refusal of supplies at Edinburgh reduced him to no such dilemma. The largest sum that he could hope to receive from Scotland in a year was less than what he received from England every fortnight. He had therefore only to entrench himself within the limits of his undoubted prerogative, and there to remain on the defensive, till some favourable conjuncture should arrive.*

Troubles in Athol.

While these things were passing in the Parliament House, the civil war in the Highlands, having been during a few weeks suspended, broke forth again more violently than before. Since the splendour of the House of Argyle had been eclipsed, no Gaelic chief could vie in power with the Marquess of Athol. The district from which he took his title, and of which he might almost be called the sovereign, was in extent larger than an ordinary county, and was more fertile, more diligently cultivated, and more thickly peopled than the greater part of the Highlands. The men who followed his banner were supposed to be not less numerous than all the Macdonalds and Macleans united, and were, in strength and courage, inferior to no tribe in the mountains. But the clan had been made insignificant by the insignificance of the chief. The Marquess was the

* My chief materials for the history of this session have been the Acts, the Minutes, and the Leven and Melville Papers.

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falsest, the most fickle, the most pusillanimous, of mankind. Already, in the short space of six months, he had been several times a Jacobite, and several times a Williamite. Both Jacobites and Williamites regarded him with contempt and distrust, which respect for his immense power prevented them from fully expressing. After repeatedly vowing fidelity to both parties, and repeatedly betraying both, he began to think that he should best provide for his safety by abdicating the functions both of a peer and of a chieftain, by absenting himself both from the Parliament House at Edinburgh and from his castle in the mountains, and by quitting the country to which he was bound by every tie of duty and honour at the very crisis of her fate. While all Scotland was waiting with impatience and anxiety to see in which army his numerous retainers would be arrayed, he stole away to England, settled himself at Bath, and pretended to drink the waters.* His principality, left without a head, was divided against itself. The general leaning of the Athol men was towards King James. For they had been employed by him, only four years before, as the ministers of his vengeance against the House of Argyle. They had garrisoned Inverary: they had ravaged Lorn: they had demolished houses, cut down fruit trees, burned fishing boats, broken millstones, hanged Campbells, and were therefore not likely to be pleased by the prospect of Mac Callum More's restoration. One word from the Marquess would have sent two thousand claymores to the Jacobite side. But that word he would not speak; and the consequence was, that the conduct of his followers was as irresolute and inconsistent as his own.

While they were waiting for some indication of his wishes, they were called to arms at once by two leaders, either of whom

* "Athol," says Dundee contemptuously, "is gone to England, who did not know what to do." — Dundee to Melfort, June 27. 1689. See Athol's letters to Melville of the 21st of May and the 8th of June, in the Leven and Melville Papers.

might, with some show of reason, claim to be considered as the representative of the absent chief. Lord Murray, the Marquess's eldest son, who was married to a daughter of the Duke of Hamilton, declared for King William. Stewart of Ballenach, the Marquess's confidential agent, declared for King James. The people knew not which summons to obey. He whose authority would have been held in profound reverence, had plighted faith to both sides, and had then run away for fear of being under the necessity of joining either; nor was it very easy to say whether the place which he had left vacant belonged to his steward or to his heir apparent. CHAP. XIII. 1689.

The most important military post in Athol was Blair Castle. The house which now bears that name is not distinguished by any striking peculiarity from other country seats of the aristocracy. The old building was a lofty tower of rude architecture which commanded a vale watered by the Garry. The walls would have offered very little resistance to a battering train, but were quite strong enough to keep the herdsmen of the Grampians in awe. About five miles south of this stronghold, the valley of the Garry contracts itself into the celebrated glen of Killiecrankie. At present a highway as smooth as any road in Middlesex ascends gently from the low country to the summit of the defile. White villas peep from the birch forest; and, on a fine summer day, there is sarcely a turn of the pass at which may not be seen some angler casting his fly on the foam of the river, some artist sketching a pinnacle of rock, or some party of pleasure banqueting on the turf in the fretwork of shade and sunshine. But, in the days of William the Third, Killiecrankie was mentioned with horror by the peaceful and industrious inhabitants of the Perthshire lowlands. It was deemed the most perilous of all those dark ravines through which the marauders of the hills were wont to sally forth. The sound, so musical to modern ears, of the river brawling round the mossy rocks and

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among the smooth pebbles, the dark masses of crag and verdure worthy of the pencil of Wilson, the fantastic peaks bathed, at sunrise and sunset, with light rich as that which glows on the canvass of Claude, suggested to our ancestors thoughts of murderous ambuscades and of bodies stripped, gashed, and abandoned to the birds of prey. The only path was narrow and rugged: a horse could with difficulty be led up: two men could hardly walk abreast; and, in some places, the way ran so close by the precipice that the traveller had great need of a steady eye and foot. Many years later, the first Duke of Athol constructed a road up which it was just possible to drag his coach. But even that road was so steep and so strait that a handful of resolute men might have defended it against an army*; nor did any Saxon consider a visit to Killiecrankie as a pleasure, till experience had taught the English Government that the weapons by which the Highlanders could be most effectually subdued were the pickaxe and the spade.

The war breaks out again in the Highlands.

The country which lay just above this pass was now the theatre of a war such as the Highlands had not often witnessed. Men wearing the same tartan, and attached to the same lord, were arrayed against each other. The name of the absent chief was used, with some show of reason, on both sides. Ballenach, at the head of a body of vassals who considered him as the representative of the Marquess, occupied Blair Castle. Murray, with twelve hundred followers, appeared before the walls and demanded to be admitted into the mansion of his family, the mansion which would one day be his own. The garrison refused to open the gates. Messages were sent off by the besiegers to Edinburgh, and by the besieged to Lochaber.** In both places the tidings produced great agitation. Mackay and Dundee agreed in thinking that the crisis required prompt and strenuous

* Memoirs of Sir Ewan Cameron.
** Mackay's Memoirs.

exertion. On the fate of Blair Castle probably depended the fate of all Athol. On the fate of Athol might depend the fate of Scotland. Mackay hastened northward, and ordered his troops to assemble in the low country of Perthshire. Some of them were quartered at such a distance that they did not arrive in time. He soon, however, had with him the three Scotch regiments which had served in Holland, and which bore the names of their Colonels, Mackay himself, Balfour, and Ramsay. There was also a gallant regiment of infantry from England, then called Hastings's, but now known as the thirteenth of the line. With these old troops were joined two regiments newly levied in the Lowlands. One of them was commanded by Lord Kenmore; the other, which had been raised on the Border, and which is still styled the King's own Borderers, by Lord Leven. Two troops of horse, Lord Annandale's and Lord Belhaven's, probably made up the army to the number of above three thousand men. Belhaven rode at the head of his troop: but Annandale, the most factious of all Montgomery's followers, preferred the Club and the Parliament House to the field.*

Dundee, meanwhile, had summoned all the clans which acknowledged his commission to assemble for an expedition into Athol. His exertions were strenuously seconded by Lochiel. The fiery crosses were sent again in all haste through Appin and Ardnamurchan, up Glenmore, and along Loch Leven. But the call was so unexpected, and the time allowed was so short, that the muster was not a very full one. The whole number of broadswords seems to have been under three thousand. With this force, such as it was, Dundee set forth. On his march he was joined by succours which had just arrived from Ulster. They consisted of little more than three hundred Irish foot, ill armed, ill clothed, and ill disciplined. Their commander was an officer named Cannon, who had seen service

* Mackay's Memoirs.

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in the Netherlands, and who might perhaps have acquitted himself well in a subordinate post and in a regular army, but who was altogether unequal to the part now assigned to him.* He had already loitered among the Hebrides so long that some ships which had been sent with him, and which were laden with stores, had been taken by English cruisers. He and his soldiers had with difficulty escaped the same fate. Incompetent as he was, he bore a commission which gave him military rank in Scotland next to Dundee.

The disappointment was severe. In truth James would have done better to withhold all assistance from the Highlanders than to mock them by sending them, instead of the well appointed army which they had asked and expected, a rabble contemptible in numbers and appearance. It was now evident that whatever was done for his cause in Scotland must be done by Scottish hands.**

While Mackay from one side, and Dundee from the other, were advancing towards Blair Castle, important events had taken place there. Murray's adherents soon began to waver in their fidelity to him. They had an old antipathy to Whigs; for they considered the name of Whig as synonymous with the name of Campbell. They saw arrayed against them a large number of their kinsmen, commanded by a gentleman who was supposed to possess the confidence of the Marquess. The besieging army therefore melted rapidly away. Many returned home on the plea that, as their neighbourhood was about to be the seat of war, they must place their families and cattle in security. Others more ingenuously declared that they would not fight in such a quarrel. One large body went to a brook, filled their bonnets with water, drank a health to King James, and then dispersed.*** Their zeal for King James, however,

* Van Odyck to the Greffier of the States General, $\frac{\text{Aug.}}{\text{Sept.}}$ 1689.
** Memoirs of Sir Ewan Cameron.
*** Balcarras's Memoirs.

did not induce them to join the standard of his general. They lurked among the rocks and thickets which overhang the Garry, in the hope that there would soon be a battle, and that, whatever might be the event, there would be fugitives and corpses to plunder.

Murray was in a strait. His force had dwindled to three or four hundred men: even in those men he could put little trust; and the Macdonalds and Camerons were advancing fast. He therefore raised the siege of Blair Castle, and retired with a few followers into the defile of Killiecrankie. There he was soon joined by a detachment of two hundred fusileers whom Mackay had sent forward to secure the pass. The main body of the Lowland army speedily followed.*

Early in the morning of Saturday the twenty seventh of July, Dundee arrived at Blair Castle. There he learned that Mackay's troops were already in the ravine of Killiecrankie. It was necessary to come to a prompt decision. A council of war was held. The Saxon officers were generally against hazarding a battle. The Celtic chiefs were of a different opinion. Glengarry and Lochiel were now both of a mind. "Fight, my Lord," said Lochiel with his usual energy; "fight immediately: fight, if you have only one to three. Our men are in heart. Their only fear is that the enemy should escape. Give them their way; and be assured that they will either perish or gain a complete victory. But if you restrain them, if you force them to remain on the defensive, I answer for nothing. If we do not fight, we had better break up and retire to our mountains."**

Dundee's countenance brightened. "You hear, gentlemen," he said to his Lowland officers; "you hear the opinion of one who understands Highland war better than any of us." No voice was raised on the other side. It was determined to fight;

* Mackay's Short Relation, dated Aug. 17. 1689.

** Memoirs of Sir Ewan Cameron.

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and the confederated clans in high spirits set forward to encounter the enemy.

The enemy meanwhile had made his way up the pass. The ascent had been long and toilsome: for even the foot had to climb by twos and threes; and the baggage horses, twelve hundred in number, could mount only one at a time. No wheeled carriage had ever been tugged up that arduous path The head of the column had emerged and was on the table land, while the rearguard was still in the plain below. At length the passage was effected; and the troops found themselves in a valley of no great extent. Their right was flanked by a rising ground, their left by the Garry. Wearied with the morning's work, they threw themselves on the grass to take some rest and refreshment.

Early in the afternoon, they were roused by an alarm that the Highlanders were approaching. Regiment after regiment started up and got into order. In a little while the summit of an ascent which was about a musket shot before them was covered with bonnets and plaids. Dundee rode forward for the purpose of surveying the force with which he was to contend, and then drew up his own men with as much skill as their peculiar character permitted him to exert. It was desirable to keep the clans distinct. Each tribe, large or small, formed a column separated from the next column by a wide interval. One of these battalions might contain seven hundred men, while another consisted of only a hundred and twenty. Lochiel had represented that it was impossible to mix men of different tribes without destroying all that constituted the peculiar strength of a Highland army.*

On the right, close to the Garry, were the Macleans. Next to them were Cannon and his Irish foot. Then came the Macdonalds of Clanronald, commanded by the guardian of their

* Memoirs of Sir Ewan Cameron; Mackay's Memoirs.

young prince. On the left were other bands of Macdonalds. At the head of one large battalion towered the stately form of Glengarry, who bore in his hand the royal standard of King James the Seventh.* Still further to the left were the cavalry, a small squadron consisting of some Jacobite gentlemen who had fled from the Lowlands to the mountains and of about forty of Dundee's old troopers. The horses had been ill fed and ill tended among the Grampians, and looked miserably lean and feeble. Beyond them was Lochiel with his Camerons. On the extreme left, the men of Sky were marshalled by Macdonald of Sleat.**

In the Highlands, as in all countries where war has not become a science, men thought it the most important duty of a commander to set an example of personal courage and of bodily exertion. Lochiel was especially renowned for his physical prowess. His clansmen looked big with pride when they related how he had himself broken hostile ranks and hewn down tall warriors. He probably owed quite as much of his influence to these achievements as to the high qualities which, if fortune had placed him in the English Parliament or at the French court, would have made him one of the foremost men of his age. He had the sense however to perceive how erroneous was the notion which his countrymen had formed. He knew that to give and to take blows was not the business of a general. He knew with how much difficulty Dundee had been able to keep together, during a few days, an army composed of several clans; and he knew that what Dundee had effected with difficulty Cannon would not be able to effect at all. The life on which so much depended must not be sacrificed to a barbarous prejudice. Lochiel therefore adjured Dundee not to run into any unnecessary danger. "Your Lordship's business," he said, "is to over-

* Douglas's Baronage of Scotland.

** Memoirs of Sir Ewan Cameron.

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look every thing, and to issue your commands. Our business is to execute those commands bravely and promptly." Dundee answered with calm magnanimity that there was much weight in what his friend Sir Ewan had urged, but that no general could effect any thing great without possessing the confidence of his men. "I must establish my character for courage. Your people expect to see their leaders in the thickest of the battle; and to day they shall see me there. I promise you, on my honour, that in future fights I will take more care of myself."

Meanwhile a fire of musketry was kept up on both sides, but more skilfully and more steadily by the regular soldiers than by the mountaineers. The space between the armies was one cloud of smoke. Not a few Highlanders dropped; and the clans grew impatient. The sun however was low in the west before Dundee gave the order to prepare for action. His men raised a great shout. The enemy, probably exhausted by the toil of the day, returned a feeble and wavering cheer. "We shall do it now," said Lochiel: "that is not the cry of men who are going to win." He had walked through all his ranks, had addressed a few words to every Cameron, and had taken from every Cameron a promise to conquer or die.*

It was past seven o'clock. Dundee gave the word. The Highlanders dropped their plaids. The few who were so luxurious as to wear rude socks of untanned hide spurned them away. It was long remembered in Lochaber that Lochiel took off what probably was the only pair of shoes in his clan, and charged barefoot at the head of his men. The whole line advanced firing. The enemy returned the fire and did much execution. When only a small space was left between the armies, the Highlanders suddenly flung away their firelocks, drew their broadswords, and rushed forward with a fearful yell. The

* Memoirs of Sir Ewan Cameron.

Lowlanders prepared to receive the shock; but this was then a long and awkward process; and the soldiers were still fumbling with the muzzles of their guns and the handles of their bayonets when the whole flood of Macleans, Macdonalds, and Camerons came down. In two minutes the battle was lost and won. The ranks of Balfour's regiment broke. He was cloven down while struggling in the press. Ramsay's men turned their backs and dropped their arms. Mackay's own foot were swept away by the furious onset of the Camerons. His brother and nephew exerted themselves in vain to rally the men. The former was laid dead on the ground by a stroke from a claymore. The latter, with eight wounds on his body, made his way through the tumult and carnage to his uncle's side. Even in that extremity Mackay retained all his selfpossession. He had still one hope. A charge of horse might recover the day; for of horse the bravest Highlanders were supposed to stand in awe. But he called on the horse in vain. Belhaven indeed behaved like a gallant gentleman: but his troopers, appalled by the rout of the infantry, galloped off in disorder: Annandale's men followed: all was over; and the mingled torrent of redcoats and tartans went raving down the valley to the gorge of Killiecrankie.

Mackay, accompanied by one trusty servant, spurred bravely through the thickest of the claymores and targets, and reached a point from which he had a view of the field. His whole army had disappeared, with the exception of some Borderers whom Leven had kept together, and of Hastings's regiment, which had poured a murderous fire into the Celtic ranks, and which still kept unbroken order. All the men that could be collected were only a few hundreds. The general made haste to lead them across the Garry, and, having put that river between them and the enemy, paused for a moment to meditate on his situation.

He could hardly understand how the conquerors could be so

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unwise as to allow him even that moment for deliberation. They might with ease have killed or taken all who were with him before the night closed in. But the energy of the Celtic warriors had spent itself in one furious rush and one short struggle. The pass was choked by the twelve hundred beasts of burden which carried the provisions and baggage of the vanquished army. Such a booty was irresistibly tempting to men who were impelled to war quite as much by the desire of rapine as by the desire of glory. It is probable that few even of the chiefs were disposed to leave so rich a prize for the sake of King James. Dundee himself might at that moment have been unable to persuade his followers to quit the heaps of spoil, and to complete the great work of the day; and Dundee was no more.

Death of Dundee.

At the beginning of the action he had taken his place in front of his little band of cavalry. He bade them follow him, and rode forward. But it seemed to be decreed that, on that day, the Lowland Scotch should in both armies appear to disadvantage. The horse hesitated. Dundee turned round, stood up in his stirrups, and, waving his hat, invited them to come on. As he lifted his arm, his cuirass rose, and exposed the lower part of his left side. A musket ball struck him; his horse sprang forward and plunged into a cloud of smoke and dust, which hid from both armies the fall of the victorious general. A person named Johnstone was near him and caught him as he sank down from the saddle. "How goes the day?" said Dundee. "Well for King James;" answered Johnstone: "but I am sorry for Your Lordship." "If it is well for him," answered the dying man, "it matters the less for me." He never spoke again; but when, half an hour later, Lord Dunfermline and some other friends came to the spot, they thought that they could still discern some faint remains of life. The body, wrapped in two plaids, was carried to the Castle of Blair.*

* As to the battle, see Mackay's Memoirs, Letters, and Short Rela-

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Retreat of Mackay.

Mackay, who was ignorant of Dundee's fate, and well acquainted with Dundee's skill and activity, expected to be instantly and hotly pursued, and had very little expectation of being able to save even the scanty remains of the vanquished army. He could not retreat by the pass: for the Highlanders were already there. He therefore resolved to push across the mountains towards the valley of the Tay. He soon overtook two or three hundred of his runaways who had taken the same road. Most of them belonged to Ramsay's regiment, and must have seen service. But they were unarmed: they were utterly bewildered by the recent disaster; and the general could find among them no remains either of martial discipline or of martial spirit. His situation was one which must have severely tried the firmest nerves. Night had set in: he was in a desert: he had no guide: a victorious enemy was, in all human probability, on his track; and he had to provide for the safety of a crowd of men who had lost both head and heart. He had just suffered a defeat of all defeats the most painful and humiliating. His domestic feelings had been not less severely wounded than his professional feelings. One dear kinsman had just been struck dead before his eyes. Another, bleeding from many wounds, moved feebly at his side. But the unfortunate general's courage was sustained by a firm faith in God, and a high sense of duty to the state. In the midst of misery and disgrace, he still held his head nobly erect, and found fortitude, not only for himself, but for all around him. His first care was to be sure of his road. A solitary light which

tion; the Memoirs of Dundee; Memoirs of Sir Ewan Cameron; Nisbet's and Osburne's depositions in the Appendix to the Act. Parl. of July 14. 1690. See also the account of the battle in one of Burt's Letters. Macpherson printed a letter from Dundee to James, dated the day after the battle. I need not say that it is as impudent a forgery as Fingal. The author of the Memoirs of Dundee says that Lord Leven was scared by the sight of the Highland weapons, and set the example of flight. This is a spiteful falsehood. That Leven behaved remarkably well is proved by Mackay's Letters, Memoirs, and Short Relation.

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twinkled through the darkness guided him to a small hovel. The inmates spoke no tongue but the Gaelic, and were at first scared by the appearance of uniforms and arms. But Mackay's gentle manner removed their apprehension: their language had been familiar to him in childhood; and he retained enough of it to communicate with them. By their directions, and by the help of a pocket map, in which the routes through that wild country were roughly laid down, he was able to find his way. He marched all night. When day broke his task was more difficult than ever. Light increased the terror of his companions. Hastings's men and Leven's men indeed still behaved themselves like soldiers. But the fugitives from Ramsay's were a mere rabble. They had flung away their muskets. The broadswords from which they had fled were ever in their eyes. Every fresh object caused a fresh panic. A company of herdsmen in plaids driving cattle was magnified by imagination into a host of Celtic warriors. Some of the runaways left the main body and fled to the hills, where their cowardice met with a proper punishment. They were killed for their coats and shoes; and their naked carcasses were left for a prey to the eagles of Ben Lawers. The desertion would have been much greater, had not Mackay and his officers, pistol in hand, threatened to blow out the brains of any man whom they caught attempting to steal off.

At length the weary fugitives came in sight of Weems Castle. The proprietor of the mansion was a friend to the new government, and extended to them such hospitality as was in his power. His stores of oatmeal were brought out: kine were slaughtered; and a rude and hasty meal was set before the numerous guests. Thus refreshed, they again set forth, and marched all day over bog, moor, and mountain. Thinly inhabited as the country was, they could plainly see that the report of their disaster had already spread far, and that the po-

pulation was every where in a state of great excitement. Late at night they reached Castle Drummond, which was held for King William by a small garrison; and, on the following day, they proceeded with less difficulty to Stirling.*

Effect of the battle of Killiecrankie.

The tidings of their defeat had outrun them. All Scotland was in a ferment. The disaster had indeed been great: but it was exaggerated by the wild hopes of one party and by the wild fears of the other. It was at first believed that the whole army of King William had perished; that Mackay himself had fallen; that Dundee, at the head of a great host of barbarians, flushed with victory and impatient for spoil, had already descended from the hills; that he was master of the whole country beyond the Forth; that Fife was up to join him; that in three days he would be at Stirling; that in a week he would be at Holyrood. Messengers were sent to urge a regiment which lay in Northumberland to hasten across the border. Others carried to London earnest entreaties that His Majesty would instantly send every soldier that could be spared, nay, that he would come himself to save his northern kingdom. The factions of the Parliament House, awestruck by the common danger, forgot to wrangle. Courtiers and malecontents with one voice implored the Lord High Commissioner to close the session, and to dismiss them from a place where their deliberations might soon be interrupted by the mountaineers. It was seriously considered whether it might not be expedient to abandon Edinburgh, to send the numerous state prisoners who were in the Castle and the Tolbooth on board of a man of war which lay off Leith, and to transfer the seat of government to Glasgow.

The Scottish Parliament adjourned.

The news of Dundee's victory was every where speedily followed by the news of his death; and it is a strong proof of the extent and vigour of his faculties, that his death seems every

* Mackay's Memoirs. Life of General Hugh Mackay by J. Mackay of Rockfield.

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where to have been regarded as a complete set off against his victory. Hamilton, before he adjourned the Estates, informed them that he had good tidings for them; that Dundee was certainly dead; and that therefore the rebels had on the whole sustained a defeat. In several letters written at that conjuncture by able and experienced politicians a similar opinion is expressed. The messenger who rode with the news of the battle to the English Court was fast followed by another who carried a despatch for the King, and, not finding His Majesty at Saint James's, galloped to Hampton Court. Nobody in the capital ventured to break the seal; but fortunately, after the letter had been closed, some friendly hand had hastily written on the outside a few words of comfort: "Dundee is killed. Mackay has got to Stirling:" and these words quieted the minds of the Londoners.*

From the pass of Killiecrankie the Highlanders had retired, proud of their victory, and laden with spoil, to the Castle of Blair. They boasted that the field of battle was covered with heaps of the Saxon soldiers, and that the appearance of the corpses bore ample testimony to the power of a good Gaelic broadsword in a good Gaelic right hand. Heads were found cloven down to the throat, and sculls struck clean off just above the ears. The conquerors however had bought their victory dear. While they were advancing, they had been much galled by the musketry of the enemy; and, even after the decisive charge, Hastings's Englishmen and some of Leven's borderers had continued to keep up a steady fire. A hundred and twenty Camerons had been slain: the loss of the Macdonalds had been still greater; and several gentlemen of birth and note had fallen.**

Dundee was buried in the church of Blair Athol: but no

* Letter of the Extraordinary Ambassadors to the Greffier of the States General, August $\frac{2}{12}$. 1689; and a letter of the same date from Van Odyck, who was at Hampton Court.

** Memoirs of Sir Ewan Cameron; Memoirs of Dundee.

monument was erected over his grave; and the church itself has long disappeared. A rude stone on the field of battle marks, if local tradition can be trusted, the place where he fell.* During the last three months of his life he had approved himself a great warrior and politician; and his name is therefore mentioned with respect by that large class of persons who think that there is no excess of wickedness for which courage and ability do not atone.

It is curious that the two most remarkable battles that perhaps were ever gained by irregular over regular troops should have been fought in the same week; the battle of Killiecrankie, and the battle of Newton Butler. In both battles the success of the irregular troops was singularly rapid and complete. In both battles the panic of the regular troops, in spite of the conspicuous example of courage set by their generals, was singularly disgraceful. It ought also to be noted that, of these extraordinary victories, one was gained by Celts over Saxons, and the other by Saxons over Celts. The victory of Killiecrankie indeed, though neither more splendid nor more important than the victory of Newton Butler, is far more widely renowned; and the reason is evident. The Anglosaxon and the Celt have been reconciled in Scotland, and have never been reconciled in Ireland. In Scotland all the great actions of both races are thrown into a common stock, and are considered as making up the glory which belongs to the whole country. So completely has the old antipathy been extinguished that nothing is more usual than to hear a Lowlander talk with complacency and even with pride of the most humiliating defeat that his ancestors ever underwent. It would be difficult to name any eminent man in whom national feeling and clannish feeling were stronger than in Sir Walter Scott. Yet when Sir

* The tradition is certainly much more than a hundred and twenty years old. The stone was pointed out to Burt.

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Walter Scott mentioned Killiecrankie he seemed utterly to forget that he was a Saxon, that he was of the same blood and of the same speech with Ramsay's foot and Annandale's horse. His heart swelled with triumph when he related how his own kindred had fled like hares before a smaller number of warriors of a different breed and of a different tongue.

In Ireland the feud remains unhealed. The name of Newton Butler, insultingly repeated by a minority, is hateful to the great majority of the population. If a monument were set up on the field of battle, it would probably be defaced: if a festival were held in Cork or Waterford on the anniversary of the battle, it would probably be interrupted by violence. The most illustrious Irish poet of our time would have thought it treason to his country to sing the praises of the conquerors. One of the most learned and diligent Irish archæologists of our time has laboured, not indeed very successfully, to prove that the event of the day was decided by a mere accident from which the Englishry could derive no glory. We cannot wonder that the victory of the Highlanders should be more celebrated than the victory of the Enniskilleners, when we consider that the victory of the Highlanders is matter of boast to all Scotland, and that the victory of the Enniskilleners is matter of shame to three fourths of Ireland.

As far as the great interests of the State were concerned, it mattered not at all whether the battle of Killiecrankie were lost or won. It is very improbable that even Dundee, if he had survived the most glorious day of his life, could have surmounted those difficulties which sprang from the peculiar nature of his army, and which would have increased tenfold as soon as the war was transferred to the Lowlands. It is certain that his successor was altogether unequal to the task. During a day or two, indeed, the new general might flatter himself that all would go well. His army was rapidly swollen to near double

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The Highland army reinforced.

the number of claymores that Dundee had commanded. The Stewarts of Appin, who, though full of zeal, had not been able to come up in time for the battle, were among the first who arrived. Several clans, which had hitherto waited to see which side was the stronger, were now eager to descend on the Lowlands under the standard of King James the Seventh. The Grants indeed continued to bear true allegiance to William and Mary; and the Mackintoshes were kept neutral by unconquerable aversion to Keppoch. But Macphersons, Farquharsons, and Frasers came in crowds to the camp at Blair. The hesitation of the Athol men was at an end. Many of them had lurked, during the fight, among the crags and birch trees of Killiecrankie, and, as soon as the event of the day was decided, had emerged from those hiding places to strip and butcher the fugitives who tried to escape by the pass. The Robertsons, a Gaelic race, though bearing a Saxon name, gave in at this conjuncture their adhesion to the cause of the exiled king. Their chief Alexander, who took his appellation from his lordship of Struan, was a very young man and a student at the University of Saint Andrew's. He had there acquired a smattering of letters, and had been initiated much more deeply into Tory politics. He now joined the Highland army, and continued, through a long life, to be constant to the Jacobite cause. His part, however, in public affairs was so insignificant that his name would not now be remembered, if he had not left a volume of poems, always very stupid and often very profligate. Had this book been manufactured in Grub Street, it would scarcely have been honoured with a quarter of a line in the Dunciad. But it attracted some notice on account of the situation of the writer. For, a hundred and twenty years ago, an eclogue or a lampoon written by a Highland chief was a literary portent.*

* See the History prefixed to the poems of Alexander Robertson. In

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But, though the numerical strength of Cannon's forces was increasing, their efficiency was diminishing. Every new tribe which joined the camp brought with it some new cause of dissension. In the hour of peril, the most arrogant and mutinous spirits will often submit to the guidance of superior genius. Yet, even in the hour of peril, and even to the genius of Dundee, the Celtic chiefs had yielded but a precarious and imperfect obedience. To restrain them, when intoxicated with success and confident of their strength, would probably have been too hard a task even for him, as it had been, in the preceding generation, too hard a task for Montrose. The new general did nothing but hesitate and blunder. One of his first acts was to send a large body of men, chiefly Robertsons, down into the low country for the purpose of collecting provisions. He seems to have supposed that this detachment would without difficulty occupy Perth. But Mackay had already restored order among the remains of his army: he had assembled round him some troops which had not shared in the disgrace of the late defeat; and he was again ready for action. Cruel as his sufferings had been, he had wisely and magnanimously resolved not to punish what was past. To distinguish between degrees of guilt was not easy. To decimate the guilty would have been to commit a frightful massacre. His habitual piety too led him to consider the unexampled panic which had seized his soldiers as a proof rather of the divine displeasure than of their cowardice. He acknowledged with heroic humility that the singular firmness which he had himself displayed in the midst of the confusion and havoc was not his own, and that he might well, but for the support of a higher power, have behaved as pusillanimously as any of the wretched runaways who had

this history he is represented as having joined before the battle of Killiecrankie. But it appears from the evidence which is in the Appendix to the Act. Parl. Scot. of July 14. 1690, that he came in on the following day.

thrown away their weapons and implored quarter in vain from the barbarous marauders of Athol. His dependence on heaven did not, however, prevent him from applying himself vigorously to the work of providing, as far as human prudence could provide, against the recurrence of such a calamity as that which he had just experienced. The immediate cause of his defeat was the difficulty of fixing bayonets. The firelock of the Highlander was quite distinct from the weapon which he used in close fight. He discharged his shot, threw away his gun, and fell on with his sword. This was the work of a moment. It took the regular musketeer two or three minutes to alter his missile weapon into a weapon with which he could encounter an enemy hand to hand; and during these two or three minutes the event of the battle of Killiecrankie had been decided. Mackay therefore ordered all his bayonets to be so formed that they might be screwed upon the barrel without stopping it up, and that his men might be able to receive a charge the very instant after firing.*

Skirmish at Saint Johnston's.

As soon as he learned that a detachment of the Gaelic army was advancing towards Perth, he hastened to meet them at the head of a body of dragoons who had not been in the battle, and whose spirit was therefore unbroken. On Wednesday the thirty first of July, only four days after his defeat, he fell in with the Robertsons near Saint Johnston's, attacked them, routed them, killed a hundred and twenty of them, and took thirty prisoners, with the loss of only a single soldier.** This skirmish produced an effect quite out of proportion to the number of the combatants or of the slain. The reputation of the Celtic arms went down almost as fast as it had risen. During two or three days it had been every where imagined that those arms were invincible. There was now a reaction.

* Mackay's Memoirs.

** Mackay's Memoirs; Memoirs of Sir Ewan Cameron.

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It was perceived that what had happened at Killiecrankie was an exception to ordinary rules, and that the Highlanders were not, except in very peculiar circumstances, a match for good regular soldiers.

Disorders in the Highland army.

Meanwhile the disorders of Cannon's camp went on increasing. He called a council of war to consider what course it would be advisable to take. But as soon as the council had met, a preliminary question was raised. Who were entitled to be consulted? The army was almost exclusively a Highland army. The recent victory had been won exclusively by Highland warriors. Great chiefs, who had brought six or seven hundred fighting men into the field, did not think it fair that they should be outvoted by gentlemen from Ireland and from the low country, who bore indeed King James's commission, and were called Colonels and Captains, but who were Colonels without regiments and Captains without companies. Lochiel spoke strongly in behalf of the class to which he belonged: but Cannon decided that the votes of the Saxon officers should be reckoned.*

It was next considered what was to be the plan of the campaign. Lochiel was for advancing, for marching towards Mackay wherever Mackay might be, and for giving battle again. It can hardly be supposed that success had so turned the head of the wise chief of the Camerons as to make him insensible of the danger of the course which he recommended. But he probably conceived that nothing but a choice between dangers was left to him. His notion was that vigorous action was necessary to the very being of a Highland army, and that the coalition of clans would last only while they were impatiently pushing forward from battlefield to battlefield. He was again overruled. All his hopes of success were now at an end. His pride was severely wounded. He had submitted to the ascendency of

* Memoirs of Sir Ewan Cameron.

a great captain: but he cared as little as any Whig for a royal commission. He had been willing to be the right hand of Dundee: but he would not be ordered about by Cannon. He quitted the camp, and retired to Lochaber. He indeed directed his clan to remain. But the clan, deprived of the leader whom it adored, and aware that he had withdrawn himself in ill humour, was no longer the same terrible column which had a few days before kept so well the vow to perish or to conquer. Macdonald of Sleat, whose forces exceeded in number those of any other of the confederate chiefs, followed Lochiel's example and returned to Sky.*

Mackay's advice disregarded by the Scotch ministers.

Mackay's arrangements were by this time complete; and he had little doubt that, if the rebels came down to attack him, the regular army would retrieve the honour which had been lost at Killiecrankie. His chief difficulties arose from the unwise interference of the ministers of the Crown at Edinburgh with matters which ought to have been left to his direction. The truth seems to be that they, after the ordinary fashion of men who, having no military experience, sit in judgment on military operations, considered success as the only test of the ability of a commander. Whoever wins a battle is, in the estimation of such persons, a great general: whoever is beaten is a bad general; and no general had ever been more completely beaten than Mackay. William, on the other hand, continued to place entire confidence in his unfortunate lieutenant. To the disparaging remarks of critics who had never seen a skirmish, Portland replied, by his master's orders, that Mackay was perfectly trustworthy, that he was brave, that he understood war better than any other officer in Scotland, and that it was much to be regretted that any prejudice should exist against so good a man and so good a soldier.**

* Memoirs of Sir Ewan Cameron.

** See Portland's Letters to Melville of April 22. and May 15. 1690, in the Leven and Melville Papers.

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The Cameronians stationed at Dunkeld.

The unjust contempt with which the Scotch Privy Councillors regarded Mackay led them into a great error which might well have caused a great disaster. The Cameronian regiment was sent to garrison Dunkeld. Of this arrangement Mackay altogether disapproved. He knew that at Dunkeld these troops would be near the enemy; that they would be far from all assistance; that they would be in an open town; that they would be surrounded by a hostile population; that they were very imperfectly disciplined, though doubtless brave and zealous; that they were regarded by the whole Jacobite party throughout Scotland with peculiar malevolence; and that in all probability some great effort would be made to disgrace and destroy them.*

The General's opinion was disregarded; and the Cameronians occupied the post assigned to them. It soon appeared that his forebodings were just. The inhabitants of the country round Dunkeld furnished Cannon with intelligence, and urged him to make a bold push. The peasantry of Athol, impatient for spoil, came in great numbers to swell his army. The regiment hourly expected to be attacked, and became discontented and turbulent. The men, intrepid, indeed, both from constitution and from enthusiasm, but not yet broken to habits of military submission, expostulated with Cleland, who commanded them. They had, they imagined, been recklessly, if not perfidiously, sent to certain destruction. They were protected by no ramparts: they had a very scanty stock of ammunition: they were hemmed in by enemies. An officer might mount and gallop beyond reach of danger in an hour; but the private soldier must stay and be butchered. "Neither I," said Cleland, "nor any of my officers will, in any extremity, abandon you. Bring out my horse, all our horses; they shall be shot dead." These words produced a complete change of feeling. The men

* Mackay's Memoirs; Memoirs of Sir Ewan Cameron.

answered that the horses should not be shot, that they wanted no pledge from their brave Colonel except his word, and that they would run the last hazard with him. They kept their promise well. The Puritan blood was now thoroughly up; and what that blood was when it was up had been proved on many fields of battle.

The Highlanders attack the Cameronians and are repulsed.

That night the regiment passed under arms. On the morning of the following day, the twenty first of August, all the hills round Dunkeld were alive with bonnets and plaids. Cannon's army was much larger than that which Dundee had commanded. More than a thousand horses laden with baggage accompanied his march. Both the horses and baggage were probably part of the booty of Killiecrankie. The whole number of Highlanders was estimated by those who saw them at from four to five thousand men. They came furiously on. The outposts of the Cameronians were speedily driven in. The assailants came pouring on every side into the streets. The church, however, held out obstinately. But the greater part of the regiment made its stand behind a wall which surrounded a house belonging to the Marquess of Athol. This wall, which had two or three days before been hastily repaired with timber and loose stones, the soldiers defended desperately with musket, pike, and halbert. Their bullets were soon spent; but some of the men were employed in cutting lead from the roof of the Marquess's house and shaping it into slugs. Meanwhile all the neighbouring houses were crowded from top to bottom with Highlanders, who kept up a galling fire from the windows. Cleland, while encouraging his men, was shot dead. The command devolved on Major Henderson. In another minute Henderson fell pierced with three mortal wounds. His place was supplied by Captain Munro, and the contest went on with undiminished fury. A party of the Cameronians sallied forth, set fire to the houses from which the fatal shots had come, and

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turned the keys in the doors. In one single dwelling sixteen of the enemy were burnt alive. Those who were in the fight described it as a terrible initiation for recruits. Half the town was blazing; and with the incessant roar of the guns were mingled the piercing shrieks of wretches perishing in the flames. The struggle lasted four hours. By that time the Cameronians were reduced nearly to their last flask of powder; but their spirit never flagged. "The enemy will soon carry the wall. Be it so. We will retreat into the house: we will defend it to the last; and, if they force their way into it, we will burn it over their heads and our own." But, while they were revolving these desperate projects, they observed that the fury of the assault slackened. Soon the Highlanders began to fall back: disorder visibly spread among them; and whole bands began to march off to the hills. It was in vain that their general ordered them to return to the attack. Perseverance was not one of their military virtues. The Cameronians meanwhile, with shouts of defiance, invited Amalek and Moab to come back and to try another chance with the chosen people. But these exhortations had as little effect as those of Cannon. In a short time the whole Gaelic army was in full retreat towards Blair. Then the drums struck up: the victorious Puritans threw their caps into the air, raised, with one voice, a psalm of triumph and thanksgiving, and waved their colours, colours which were on that day unfurled for the first time in the face of an enemy, but which have since been proudly borne in every quarter of the world, and which are now embellished with the Sphinx and the Dragon, emblems of brave actions achieved in Egypt and in China.*

* Exact Narrative of the Conflict at Dunkeld between the Earl of Angus's Regiment and the Rebels, collected from several Officers of that Regiment who were Actors in or Eyewitnesses of all that's here narrated in Reference to those Actions; Letter of Lieutenant Blackader to his brother,

The Cameronians had good reason to be joyful and thankful; for they had finished the war. In the rebel camp all was discord and dejection. The Highlanders blamed Cannon: Cannon blamed the Highlanders; and the host which had been the terror of Scotland melted fast away. The confederate chiefs signed an association by which they declared themselves faithful subjects of King James, and bound themselves to meet again at a future time. Having gone through this form, — for it was no more, — they departed, each to his home. Cannon and his Irishmen retired to the Isle of Mull. The Lowlanders who had followed Dundee to the mountains shifted for themselves as they best could. On the twenty fourth of August, exactly four weeks after the Gaelic army had won the battle of Killiecrankie, that army ceased to exist. It ceased to exist, as the army of Montrose had, more than forty years earlier, ceased to exist, not in consequence of any great blow from without, but by a natural dissolution, the effect of internal malformation. All the fruits of victory were gathered by the vanquished. The Castle of Blair, which had been the immediate object of the contest, opened its gates to Mackay; and a chain of military posts, extending northward as far as Inverness, protected the cultivators of the plains against the predatory inroads of the mountaineers.

Dissolution of the Highland army.

During the autumn the government was much more annoyed by the Whigs of the low country, than by the Jacobites of the hills. The Club, which had, in the late session of Parliament, attempted to turn the kingdom into an oligarchical republic, and which had induced the Estates to refuse supplies and to stop the administration of justice, continued to sit during the recess, and harassed the ministers of the Crown by systematic agitation. The organization of this body, contemptible as it

Intrigues of the Club: state of the Lowlands.

dated Dunkeld, Aug. 21. 1689; Faithful Contendings Displayed; Minute of the Scotch Privy Council of Aug. 28., quoted by Mr. Burton.

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may appear to the generation which has seen the Roman Catholic Association and the League against the Corn Laws, was then thought marvellous and formidable. The leaders of the confederacy boasted that they would force the King to do them right. They got up petitions and addresses, tried to inflame the populace by means of the press and the pulpit, employed emissaries among the soldiers, and talked of bringing up a large body of Covenanters from the west to overawe the Privy Council. In spite of every artifice, however, the ferment of the public mind gradually subsided. The Government, after some hesitation, ventured to open the Courts of Justice which the Estates had closed. The Lords of Session appointed by the King took their seats; and Sir James Dalrymple presided. The Club attempted to induce the advocates to absent themselves from the bar, and entertained some hope that the mob would pull the judges from the bench. But it speedily became clear that there was much more likely to be a scarcity of fees than of lawyers to take them: the common people of Edinburgh were well pleased to see again a tribunal associated in their minds with the dignity and prosperity of their city; and by many signs it appeared that the false and greedy faction which had commanded a majority of the legislature did not command a majority of the nation.*

* The history of Scotland during this autumn will be best studied in the Leven and Melville Papers.

CHAPTER XIV.

TWENTY FOUR hours before the war in Scotland was brought to a close by the discomfiture of the Celtic army at Dunkeld, the Parliament broke up at Westminster. The Houses had sate ever since January without a recess. The Commons, who were cooped up in a narrow space, had suffered severely from heat and discomfort; and the health of many members had given way. The fruit however had not been proportioned to the toil. The last three months of the session had been almost entirely wasted in disputes, which have left no trace in the Statute Book. The progress of salutary laws had been impeded, sometimes by bickerings between the Whigs and the Tories, and sometimes by bickerings between the Lords and the Commons.

Disputes in the English Parliament.

The Revolution had scarcely been accomplished when it appeared that the supporters of the Exclusion Bill had not forgotten what they had suffered during the ascendency of their enemies, and were bent on obtaining both reparation and revenge. Even before the throne was filled, the Lords appointed a committee to examine into the truth of the frightful stories which had been circulated concerning the death of Essex. The committee, which consisted of zealous Whigs, continued its inquiries till all reasonable men were convinced that he had fallen by his own hand, and till his wife, his brother, and his most intimate friends were desirous that the investigation should be carried no further.* Atonement was

* See the Lords' Journals of Feb. 5. 168⅞, and of many subsequent days; Braddon's pamphlet, entitled the Earl of Essex's Memory and

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The attainder of Russell reversed.

made, without any opposition on the part of the Tories, to the memory and the families of some other victims, who were themselves beyond the reach of human power. Soon after the Convention had been turned into a Parliament, a bill for reversing the attainder of Lord Russell was presented to the Peers, was speedily passed by them, was sent down to the Lower House, and was welcomed there with no common signs of emotion. Many of the members had sate in that very chamber with Russell. He had long exercised there an influence resembling the influence which, within the memory of this generation, belonged to the upright and benevolent Althorpe; an influence derived, not from superior skill in debate or in declamation, but from spotless integrity, from plain good sense, and from that frankness, that simplicity, that good nature, which are singularly graceful and winning in a man raised by birth and fortune high above his fellows. By the Whigs Russell had been honoured as a chief; and his political adversaries had admitted that, when he was not misled by associates less respectable and more artful than himself, he was as honest and kindhearted a gentleman as any in England. The manly firmness and Christian meekness with which he had met death, the desolation of his noble house, the misery of the bereaved father, the blighted prospects of the orphan children,* above all, the union of womanly tenderness and angelic patience in

Honour Vindicated, 1690; and the London Gazettes of July 31. and August 4. and 7. 1690, in which Lady Essex and Burnet publicly contradicted Braddon.

* Whether the attainder of Lord Russell would, if unreversed, have prevented his son from succeeding to the earldom of Bedford is a difficult question. The old Earl collected the opinions of the greatest lawyers of the age, which may still be seen among the archives at Woburn. It is remarkable that one of these opinions is signed by Pemberton, who had presided at the trial. This circumstance seems to prove that the family did not impute to him any injustice or cruelty; and in truth he had behaved as well as any judge, before the Revolution, ever behaved on a similar occasion.

her who had been dearest to the brave sufferer, who had sate, with the pen in her hand, by his side at the bar, who had cheered the gloom of his cell, and who, on his last day, had shared with him the memorials of the great sacrifice, had softened the hearts of many who were little in the habit of pitying an opponent. That Russell had many good qualities, that he had meant well, that he had been hardly used, was now admitted even by courtly lawyers who had assisted in shedding his blood, and by courtly divines who had done their worst to blacken his reputation. When, therefore, the parchment which annulled his sentence was laid on the table of that assembly in which, eight years before, his face and his voice had been so well known, the excitement was great. One old Whig member tried to speak, but was overcome by his feelings. "I cannot," he said, "name my Lord Russell without disorder. It is enough to name him. I am not able to say more." Many eyes were directed towards that part of the house where Finch sate. The highly honourable manner in which he had quitted a lucrative office, as soon as he had found that he could not keep it without supporting the dispensing power, and the conspicuous part which he had borne in the defence of the Bishops, had done much to atone for his faults. Yet, on this day, it could not be forgotten that he had strenuously exerted himself, as counsel for the Crown, to obtain that judgment which was now to be solemnly revoked. He rose, and attempted to defend his conduct: but neither his legal acuteness, nor that fluent and sonorous elocution which was in his family a hereditary gift, and of which none of his family had a larger share than himself, availed him on this occasion. The House was in no humour to hear him, and repeatedly interrupted him by cries of "Order." He had been treated, he was told, with great indulgence. No accusation had been brought against him. Why then should he, under pretence of vindicating him-

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self, attempt to throw dishonourable imputations on an illustrious name, and to apologize for a judicial murder? He was forced to sit down, after declaring that he meant only to clear himself from the charge of having exceeded the limits of his professional duty; that he disclaimed all intention of attacking the memory of Lord Russell; and that he should sincerely rejoice at the reversing of the attainder. Before the House rose the bill was read a second time, and would have been instantly read a third time and passed, had not some additions and omissions been proposed, which would, it was thought, make the reparation more complete. The amendments were prepared with great expedition: the Lords agreed to them; and the King gladly gave his assent.*

Other attainders reversed.

This bill was soon followed by three other bills which annulled three wicked and infamous judgments, the judgment against Sidney, the judgment against Cornish, and the judgment against Alice Lisle.**

Case of Samuel Johnson.

Some living Whigs obtained without difficulty redress for injuries which they had suffered in the late reign. The sentence of Samuel Johnson was taken into consideration by the House of Commons. It was resolved that the scourging which he had undergone was cruel, and that his degradation was of no legal effect. The latter proposition admitted of no dispute: for he had been degraded by the prelates who had been appointed to govern the diocese of London during Compton's suspension. Compton had been suspended by a decree of the High Commission; and the decrees of the High Commission were universally acknowledged to be nullities. Johnson had therefore been stripped of his robe by persons who had no jurisdiction

* Grey's Debates, March 168⅞.

** The Acts which reversed the attainders of Russell, Sidney, Cornish, and Alice Lisle were private Acts. Only the titles therefore are printed in the Statute Book; but the Acts will be found in Howell's Collection of State Trials.

over him. The Commons requested the King to compensate the sufferer by some ecclesiastical preferment.* William, however, found that he could not, without great inconvenience, grant this request. For Johnson, though brave, honest and religious, had always been rash, mutinous and quarrelsome; and, since he had endured for his opinions a martyrdom more terrible than death, the infirmities of his temper and understanding had increased to such a degree that he was as disagreeable to Low Churchmen as to High Churchmen. Like too many other men, who are not to be turned from the path of right by pleasure, by lucre or by danger, he mistook the impulses of his pride and resentment for the monitions of conscience, and deceived himself into a belief that, in treating friends and foes with indiscriminate insolence and asperity, he was merely showing his Christian faithfulness and courage. Burnet, by exhorting him to patience and forgiveness of injuries, made him a mortal enemy. "Tell His Lordship," said the inflexible priest, "to mind his own business, and to let me look after mine."** It soon began to be whispered that Johnson was mad. He accused Burnet of being the author of the report, and avenged himself by writing libels so violent that they strongly confirmed the imputation which they were meant to refute. The King, therefore, thought it better to give out of his own revenue a liberal compensation for the wrongs which the Commons had brought to his notice than to place an eccentric and irritable man in a situation of dignity and public trust. Johnson was gratified with a present of a thousand pounds, and a pension of three hundred a year for two lives. His son was also provided for in the public service.***

* Commons' Journals, June 24. 1689.

** Johnson tells this story himself in his strange pamphlet entitled, Notes upon the Phœnix Edition of the Pastoral Letter, 1694.

*** Some Memorials of the Reverend Samuel Johnson, prefixed to the folio edition of his works, 1710.

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Case of Devonshire.

While the Commons were considering the case of Johnson, the Lords were scrutinising with severity the proceedings which had, in the late reign, been instituted against one of their own order, the Earl of Devonshire. The judges who had passed sentence on him were strictly interrogated; and a resolution was passed declaring that in his case the privileges of the peerage had been infringed, and that the Court of King's Bench, in punishing a hasty blow by a fine of thirty thousand pounds, had violated common justice and the Great Charter.*

Case of Oates.

In the cases which have been mentioned, all parties seem to have agreed in thinking that some public reparation was due. But the fiercest passions both of Whigs and Tories were soon roused by the noisy claims of a wretch whose sufferings, great as they might seem, had been trifling when compared with his crimes. Oates had come back, like a ghost from the place of punishment, to haunt the spots which had been polluted by his guilt. The three years and a half which followed his scourging he had passed in one of the cells of Newgate, except when on certain days, the anniversaries of his perjuries, he had been brought forth and set on the pillory. He was still, however, regarded by many fanatics as a martyr; and it was said that they were able so far to corrupt his keepers that, in spite of positive orders from the government, his sufferings were mitigated by many indulgences. While offenders, who, compared with him, were innocent, grew lean on the prison allowance, his cheer was mended by turkeys and chines, capons and sucking pigs, venison pasties and hampers of claret, the offerings of zealous Protestants.** When James had fled from Whitehall, and when London was in confusion, it was moved, in the council of Lords which had provisionally assumed the

* Lords' Journals, May 15. 1689.

** North's Examen, 224. North's evidence is confirmed by several contemporary squibs in prose and verse. See also the *εἰκὼν βροτολοίγου*, 1697.

direction of affairs, that Oates should be set at liberty. The motion was rejected:* but the gaolers, not knowing whom to obey in that time of anarchy, and desiring to conciliate a man who had once been, and might perhaps again be, a terrible enemy, allowed their prisoner to go freely about the town.** His uneven legs and his hideous face, made more hideous by the shearing which his ears had undergone, were now again seen every day in Westminster Hall and the Court of Requests.*** He fastened himself on his old patrons, and, in that drawl which he affected as a mark of gentility, gave them the history of his wrongs and of his hopes. It was impossible, he said, that now, when the good cause was triumphant, the discoverer of the plot could be overlooked. "Charles gave me nine hundred pounds a year. Sure William will give me more."† CHAP. XIV. 1689.

In a few weeks he brought his sentence before the House of Lords by a writ of error. This is a species of appeal which raises no question of fact. The Lords, while sitting judicially on the writ of error, were not competent to examine whether the verdict which pronounced Oates guilty was or was not according to the evidence. All that they had to consider was whether, the verdict being supposed to be according to the evidence, the judgment was legal. But it would have been difficult even for a tribunal composed of veteran magistrates, and was almost impossible for an assembly of noblemen who

* Halifax MS. in the British Museum.

** Epistle Dedicatory to Oates's *εἰκὼν βασιλική*.

*** In a ballad of the time are the following lines:

"Come listen, ye Whigs, to my pitiful moan,
All you that have ears, when the Doctor has none."

These lines must have been in Mason's head when he wrote the couplet—

"Witness, ye Hills, ye Johnsons, Scots, Shebbeares;
Hark to my call: for some of you have ears."

† North's Examen, 224. 254. North says "six hundred a year." But I have taken the larger sum from the impudent petition which Oates addressed to the Commons, July 25. 1689. See the Journals.

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were all strongly biassed on one side or on the other, and among whom there was at that time not a single person whose mind had been disciplined by the study of jurisprudence, to look steadily at the mere point of law, abstracted from the special circumstances of the case. In the view of one party, a party which even among the Whig peers was probably a minority, the appellant was a man who had rendered inestimable services to the cause of liberty and religion, and who had been requited by long confinement, by degrading exposure, and by torture not to be thought of without a shudder. The majority of the House more justly regarded him as the falsest, the most malignant and the most impudent being that had ever disgraced the human form. The sight of that brazen forehead, the accents of that lying tongue, deprived them of all mastery over themselves. Many of them doubtless remembered with shame and remorse that they had been his dupes, and that, on the very last occasion on which he had stood before them, he had by perjury induced them to shed the blood of one of their own illustrious order. It was not to be expected that a crowd of gentlemen under the influence of feelings like these would act with the cold impartiality of a court of justice. Before they came to any decision on the legal question which Titus had brought before them, they picked a succession of quarrels with him. He had published a paper magnifying his merits and his sufferings. The Lords found out some pretence for calling this publication a breach of privilege, and sent him to the Marshalsea. He petitioned to be released; but an objection was raised to his petition. He had described himself as a Doctor of Divinity; and their lordships refused to acknowledge him as such. He was brought to their bar, and asked where he had graduated. He answered, "At the university of Salamanca." This was no new instance of his mendacity and effrontery. His Salamanca degree had been, during many years, a favourite

theme of all the Tory satirists from Dryden downwards; and even on the Continent the Salamanca Doctor was a nickname in ordinary use.* The Lords, in their hatred of Oates, so far forgot their own dignity as to treat this ridiculous matter seriously. They ordered him to efface from his petition the words, "Doctor of Divinity." He replied that he could not in conscience do it; and he was accordingly sent back to gaol.**

These preliminary proceedings indicated not obscurely what the fate of the writ of error would be. The counsel for Oates had been heard. No counsel appeared against him. The Judges were required to give their opinions. Nine of them were in attendance; and among the nine were the Chiefs of the three Courts of Common Law. The unanimous answer of these grave, learned and upright magistrates was that the Court of King's Bench was not competent to degrade a priest from his sacred office, or to pass a sentence of perpetual imprisonment; and that therefore the judgment against Oates was contrary to law, and ought to be reversed. The Lords should undoubtedly have considered themselves as bound by this opinion. That they knew Oates to be the worst of men was nothing to the purpose. To them, sitting as a court of justice, he ought to have been merely a John of Styles or a John of Nokes. But their indignation was violently excited. Their habits were not those which fit men for the discharge of judicial duties. The debate turned almost entirely on matters to which no allusion ought to have been made. Not a single peer ventured to affirm that the judgment was legal: but much was said about the odious character of the appellant, about the impudent accusation which he had brought against Catharine of Braganza, and about the evil con-

* Van Citters, in his despatches to the States General, uses this nickname quite gravely.

** Lords' Journals, May 30. 1689.

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sequences which might follow if so bad a man were capable of being a witness. "There is only one way," said the Lord President, "in which I can consent to reverse the fellow's sentence. He has been whipped from Aldgate to Tyburn. He ought to be whipped from Tyburn back to Aldgate." The question was put. Twenty three peers voted for reversing the judgment; thirty five for affirming it.*

This decision produced a great sensation, and not without reason. A question was now raised which might justly excite the anxiety of every man in the kingdom. That question was whether the highest tribunal, the tribunal on which, in the last resort, depended the most precious interests of every English subject, was at liberty to decide judicial questions on other than judicial grounds, and to withhold from a suitor what was admitted to be his legal right, on account of the depravity of his moral character. That the supreme Court of Appeal ought not to be suffered to exercise arbitrary power, under the forms of ordinary justice, was strongly felt by the ablest men in the House of Commons, and by none more strongly than by Somers. With him, and with those who reasoned like him, were, on this occasion, allied many weak and hot-headed zealots who still regarded Oates as a public benefactor, and who imagined that to question the existence of the Popish plot was to question the truth of the Protestant religion. On the very morning after the decision of the Peers had been pronounced, keen reflections were thrown, in the House of Commons, on the justice of their lordships. Three days later, the subject was brought forward by a Whig Privy Councillor, Sir Robert Howard, member for Castle Rising. He was one of the Berkshire branch of his noble family, a branch which enjoyed, in that age, the unenviable distinction of being wonderfully

* Lords' Journals, May 31. 1689; Commons' Journals, Aug. 2.; North's Examen, 224; Narcissus Luttrell's Diary.

fertile of bad rhymers. The poetry of the Berkshire Howards was the jest of three generations of satirists. The mirth began with the first representation of the Rehearsal, and continued down to the last edition of the Dunciad.* But Sir Robert, in spite of his bad verses, and of some foibles and vanities which had caused him to be brought on the stage under the name of Sir Positive Atall, had in parliament the weight which a stanch party man, of ample fortune, of illustrious name, of ready utterance, and of resolute spirit, can scarcely fail to possess.** When he rose to call the attention of the Commons to the case of Oates, some Tories, animated by the same passions which had prevailed in the other House, received him with loud hisses. In spite of this most unparliamentary insult, he persevered; and it soon appeared that the majority was with him. Some orators extolled the patriotism and courage of Oates: others dwelt much on a prevailing rumour, that the solicitors who were employed against him on behalf of the Crown had distributed large sums of money among the jurymen. These were topics on which there was much difference of opinion. But that the sentence was illegal was a proposition which admitted of no dispute. The most eminent lawyers in the House of Commons declared that, on this point, they entirely concurred in the opinion given by the Judges in the House of Lords. Those who had hissed when the subject was introduced, were so effectually cowed that they did not venture to demand a division; and a bill annulling the sentence was brought in, without any opposition.***

* Sir Robert was the original hero of the Rehearsal, and was called Bilboa. In the remodelled Dunciad, Pope inserted the lines —

"And highborn Howard, more majestic sire,
With Fool of Quality completes the quire."

Pope's highborn Howard was Edward Howard, the author of the British Princes.

** Key to the Rehearsal; Shadwell's Sullen Lovers; Pepys, May 5. 8. 1668; Evelyn, Feb. 16. 168⅔.

*** Grey's Debates and Commons' Journals, June 4. and 11. 1689.

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The Lords were in an embarrassing situation. To retract was not pleasant. To engage in a contest with the Lower House, on a question on which that House was clearly in the right, and was backed at once by the opinions of the sages of the law, and by the passions of the populace, might be dangerous. It was thought expedient to take a middle course. An address was presented to the King, requesting him to pardon Oates.* But this concession only made bad worse. Titus had, like every other human being, a right to justice: but he was not a proper object of mercy. If the judgment against him was illegal, it ought to have been reversed. If it was legal, there was no ground for remitting any part of it. The Commons, very properly, persisted, passed their bill, and sent it up to the Peers. Of this bill the only objectionable part was the preamble, which asserted, not only that the judgment was illegal, a proposition which appeared on the face of the record to be true, but also that the verdict was corrupt, a proposition which, whether true or false, was not proved by any evidence at all.

The Lords were in a great strait. They knew that they were in the wrong. Yet they were determined not to proclaim, in their legislative capacity, that they had, in their judicial capacity, been guilty of injustice. They again tried a middle course. The preamble was softened down: a clause was added which provided that Oates should still remain incapable of being a witness; and the bill thus altered was returned to the Commons.

The Commons were not satisfied. They rejected the amendments, and demanded a free conference. Two eminent Tories, Rochester and Nottingham, took their seats in the Painted Chamber as managers for the Lords. With them was joined Burnet, whose well known hatred of Popery was likely to give weight to what he might say on such an occasion. Somers was

* Lords' Journals, June 6. 1689.

the chief orator on the other side; and to his pen we owe a singularly lucid and interesting abstract of the debate.

The Lords frankly owned that the judgment of the Court of King's Bench could not be defended. They knew it to be illegal, and had known it to be so even when they affirmed it. But they had acted for the best. They accused Oates of bringing an impudently false accusation against Queen Catharine: they mentioned other instances of his villany; and they asked whether such a man ought still to be capable of giving testimony in a court of justice. The only excuse which, in their opinion, could be made for him was, that he was insane; and in truth, the incredible insolence and absurdity of his behaviour when he was last before them seemed to warrant the belief that his brain had been turned, and that he was not to be trusted with the lives of other men. The Lords could not therefore degrade themselves by expressly rescinding what they had done; nor could they consent to pronounce the verdict corrupt on no better evidence than common report.

The reply was complete and triumphant. "Oates is now the smallest part of the question. He has, Your Lordships say, falsely accused the Queen Dowager and other innocent persons. Be it so. This bill gives him no indemnity. We are quite willing that, if he is guilty, he shall be punished. But for him, and for all Englishmen, we demand that punishment shall be regulated by law, and not by the arbitrary discretion of any tribunal. We demand that, when a writ of error is before Your Lordships, you shall give judgment on it according to the known customs and statutes of the realm. We deny that you have any right, on such occasions, to take into consideration the moral character of a plaintiff or the political effect of a decision. It is acknowledged by yourselves that you have, merely because you thought ill of this man, affirmed a judgment which you knew to be illegal. Against this assumption of arbitrary

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power the Commons protest; and they hope that you will now redeem what you must feel to be an error. Your Lordships intimate a suspicion that Oates is mad. That a man is mad may be a very good reason for not punishing him at all. But how it can be a reason for inflicting on him a punishment which would be illegal even if he were sane, the Commons do not comprehend. Your Lordships think that you should not be justified in calling a verdict corrupt which has not been legally proved to be so. Suffer us to remind you that you have two distinct functions to perform. You are judges; and you are legislators. When you judge, your duty is strictly to follow the law. When you legislate, you may properly take facts from common fame. You invert this rule. You are lax in the wrong place, and scrupulous in the wrong place. As judges, you break through the law for the sake of a supposed convenience. As legislators, you will not admit any fact without such technical proof as it is rarely possible for legislators to obtain."*

This reasoning was not and could not be answered. The Commons were evidently flushed with their victory in the argument, and proud of the appearance which Somers had made in the Painted Chamber. They particularly charged him to see that the report which he had made of the conference was accurately entered in the Journals. The Lords very wisely abstained from inserting in their records an account of a debate in which they had been so signally discomfited. But, though conscious of their fault and ashamed of it, they could not be brought to do public penance by owning, in the preamble of the Act, that they had been guilty of injustice. The minority was, however, strong. The resolution to adhere was carried by only

* Commons' Journals, Aug. 2. 1689; Dutch Ambassadors Extraordinary to the States General, $\frac{\text{July 30.}}{\text{Aug. 9.}}$

twelve votes, of which ten were proxies.* Twenty one Peers protested. The bill dropped. Two Masters in Chancery were sent to announce to the Commons the final resolution of the Peers. The Commons thought this proceeding unjustifiable in substance and uncourteous in form. They determined to remonstrate; and Somers drew up an excellent manifesto, in which the vile name of Oates was scarcely mentioned, and in which the Upper House was with great earnestness and gravity exhorted to treat judicial questions judicially, and not, under pretence of administering law, to make law.** The wretched man, who had now a second time thrown the political world into confusion, received a pardon, and was set at liberty. His friends in the Lower House moved an address to the Throne, requesting that a pension sufficient for his support might be granted to him.*** He was consequently allowed about three hundred a year, a sum which he thought unworthy of his acceptance, and which he took with the savage snarl of disappointed greediness.

Bill of Rights.

From the dispute about Oates sprang another dispute, which might have produced very serious consequences. The instrument which had declared William and Mary King and Queen was a revolutionary instrument. It had been drawn up by an assembly unknown to the ordinary law, and had never received the royal sanction. It was evidently desirable that this great contract between the governors and the governed, this titledeed by which the King held his throne and the people their liberties, should be put into a strictly regular form. The Declaration of Rights was therefore turned into a Bill of Rights; and the Bill of Rights speedily passed the Commons; but in the Lords difficulties arose.

* Lords' Journals, July 30. 1689; Narcissus Luttrell's Diary; Clarendon's Diary, July 31. 1689.

** See the Commons' Journals of July 31. and August 13. 1689.

*** Commons' Journals, Aug. 20.

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The Declaration had settled the crown, first on William and Mary jointly, then on the survivor of the two, then on Mary's posterity, then on Anne and her posterity, and, lastly, on the posterity of William by any other wife than Mary. The Bill had been drawn in exact conformity with the Declaration. Who was to succeed if Mary, Anne, and William should all die without posterity, was left in uncertainty. Yet the event for which no provision was made was far from improbable. Indeed it really came to pass. William had never had a child. Anne had repeatedly been a mother, but had no child living. It would not be very strange if, in a few months, disease, war, or treason should remove all those who stood in the entail. In what state would the country then be left? To whom would allegiance be due? The bill indeed contained a clause which excluded Papists from the throne. But would such a clause supply the place of a clause designating the successor by name? What if the next heir should be a prince of the House of Savoy not three months old? It would be absurd to call such an infant a Papist. Was he then to be proclaimed King? Or was the crown to be in abeyance till he came to an age at which he might be capable of choosing a religion? Might not the most honest and the most intelligent men be in doubt whether they ought to regard him as their Sovereign? And to whom could they look for a solution of this doubt? Parliament there would be none: for the Parliament would expire with the prince who had convoked it. There would be mere anarchy, anarchy which might end in the destruction of the monarchy, or in the destruction of public liberty. For these weighty reasons, Burnet, at William's suggestion, proposed in the House of Lords that the crown should, failing heirs of His Majesty's body, be entailed on an undoubted Protestant, Sophia, Duchess of Brunswick Lunenburg, granddaughter of James the First, and daughter of Elizabeth, Queen of Bohemia.

The Lords unanimously assented to this amendment: but the Commons unanimously rejected it. The cause of the rejection no contemporary writer has satisfactorily explained. One Whig historian talks of the machinations of the republicans, another of the machinations of the Jacobites. But it is quite certain that four fifths of the representatives of the people were neither Jacobites nor republicans. Yet not a single voice was raised in the Lower House in favour of the clause which in the Upper House had been carried by acclamation.* The most probable explanation seems to be that the gross injustice which had been committed in the case of Oates had irritated the Commons to such a degree that they were glad of an opportunity to quarrel with the Peers. A conference was held. Neither assembly would give way. While the dispute was hottest, an event took place which, it might have been thought, would have restored harmony. Anne gave birth to a son. The child was baptized at Hampton Court with great pomp, and with many signs of public joy. William was one of the sponsors. The other was the accomplished Dorset, whose roof had given shelter to the Princess in her distress. The King bestowed his own name on his godson, and announced to the splendid circle assembled round the font that the little William was henceforth to be called Duke of Gloucester.** The birth of this child had greatly diminished the risk against which the Lords had thought it necessary to guard. They might therefore have retracted with a good grace. But their pride had been wounded by the severity with which their decision on

* Oldmixon accuses the Jacobites, Burnet the republicans. Though Burnet took a prominent part in the discussion of this question, his account of what passed is grossly inaccurate. He says that the clause was warmly debated in the Commons, and that Hampden spoke strongly for it. But we learn from the Journals (June 19. 1689) that it was rejected *nemine contradicente*. The Dutch Ambassadors describe it as "een propositie 'twelck geen ingressie schÿnt te sullen vinden."

** London Gazette, Aug. 1. 1689; Narcissus Luttrell's Diary.

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Oates's writ of error had been censured in the Painted Chamber. They had been plainly told across the table that they were unjust judges; and the imputation was not the less irritating because they were conscious that it was deserved. They refused to make any concession; and the Bill of Rights was suffered to drop.*

Disputes about a Bill of Indemnity.

But the most exciting question of this long and stormy session was, what punishment should be inflicted on those men who had, during the interval between the dissolution of the Oxford Parliament and the Revolution, been the advisers or the tools of Charles and James. It was happy for England that, at this crisis, a prince who belonged to neither of her factions, who loved neither, who hated neither, and who, for the accomplishment of a great design, wished to make use of both, was the moderator between them.

The two parties were now in a position closely resembling that in which they had been twenty eight years before. The party indeed which had then been undermost was now uppermost: but the analogy between the situations is one of the most perfect that can be found in history. Both the Restoration and the Revolution were accomplished by coalitions. At the Restoration, those politicians who were peculiarly zealous for liberty assisted to reestablish monarchy: at the Revolution those politicians who were peculiarly zealous for monarchy assisted to vindicate liberty. The Cavalier would, at the former conjuncture, have been able to effect nothing without the help of Puritans who had fought for the Covenant; nor would the Whig, at the latter conjuncture, have offered a successful resistance to arbitrary power, had he not been backed by men who had a very short time before condemned resistance to arbitrary power as a deadly sin. Conspicuous among those

* The history of this Bill may be traced in the Journals of the two Houses, and in Grey's Debates.

by whom, in 1660, the royal family was brought back, were Hollis, who had in the days of the tyranny of Charles the First held down the Speaker in the chair by main force, while Black Rod knocked for admission in vain; Ingoldsby, whose name was subscribed to the memorable death warrant; and Prynne, whose ears Laud had cut off, and who, in return, had borne the chief part in cutting off Laud's head. Among the seven who, in 1688, signed the invitation to William, were Compton, who had long enforced the duty of obeying Nero; Danby, who had been impeached for endeavouring to establish military despotism; and Lumley, whose bloodhounds had tracked Monmouth to that sad last hiding place among the fern. Both in 1660 and in 1688, while the fate of the nation still hung in the balance, forgiveness was exchanged between the hostile factions. On both occasions the reconciliation, which had seemed to be cordial in the hour of danger, proved false and hollow in the hour of triumph. As soon as Charles the Second was at Whitehall, the Cavalier forgot the good service recently done by the Presbyterians, and remembered only their old offences. As soon as William was King, too many of the Whigs began to demand vengeance for all that they had, in the days of the Rye House Plot, suffered at the hands of the Tories. On both occasions the Sovereign found it difficult to save the vanquished party from the fury of his triumphant supporters; and on both occasions those whom he had disappointed of their revenge murmured bitterly against the government which had been so weak and ungrateful as to protect its foes against its friends.

So early as the twenty fifth of March, William called the attention of the Commons to the expediency of quieting the public mind by an amnesty. He expressed his hope that a bill of general pardon and oblivion would be as speedily as possible presented for his sanction, and that no exceptions would be

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made, except such as were absolutely necessary for the vindication of public justice and for the safety of the state. The Commons unanimously agreed to thank him for this instance of his paternal kindness: but they suffered many weeks to pass without taking any step towards the accomplishment of his wish. When at length the subject was resumed, it was resumed in such a manner as plainly showed that the majority had no real intention of putting an end to the suspense which embittered the lives of all those Tories who were conscious that, in their zeal for prerogative, they had sometimes overstepped the exact line traced by law. Twelve categories were framed, some of which were so extensive as to include tens of thousands of delinquents; and the House resolved that, under every one of these categories, some exceptions should be made. Then came the examination into the cases of individuals. Numerous culprits and witnesses were summoned to the bar. The debates were long and sharp; and it soon became evident that the work was interminable. The summer glided away: the autumn was approaching: the session could not last much longer; and of the twelve distinct inquisitions, which the Commons had resolved to institute, only three had been brought to a close. It was necessary to let the bill drop for that year.*

Last days of Jeffreys.

Among the many offenders whose names were mentioned in the course of these inquiries, was one who stood alone and unapproached in guilt and infamy, and whom Whigs and Tories were equally willing to leave to the extreme rigour of the law. On that terrible day which was succeeded by the Irish Night, the roar of a great city disappointed of its revenge had followed Jeffreys to the drawbridge of the Tower. His imprisonment was not strictly legal: but he at first accepted with thanks and

* See Grey's Debates and the Commons' Journals from March to July. The twelve categories will be found in the Journals of the 23d and 29th of May and of the 8th of June.

blessings the protection which those dark walls, made famous by so many crimes and sorrows, afforded him against the fury of the multitude.* Soon, however, he became sensible that his life was still in imminent peril. For a time he flattered himself with the hope that a writ of Habeas Corpus would liberate him from his confinement, and that he should be able to steal away to some foreign country, and to hide himself with part of his ill gotten wealth from the detestation of mankind: but, till the government was settled, there was no Court competent to grant a writ of Habeas Corpus; and, as soon as the government had been settled, the Habeas Corpus Act was suspended.** Whether the legal guilt of murder could be brought home to Jeffreys may be doubted. But he was morally guilty of so many murders that, if there had been no other way of reaching his life, a retrospective Act of Attainder would have been clamorously demanded by the whole nation. A disposition to triumph over the fallen has never been one of the besetting sins of Englishmen: but the hatred of which Jeffreys was the object was without a parallel in our history, and partook but too largely of the savageness of his own nature. The people, where he was concerned, were as cruel as himself, and exulted in his misery as he had been accustomed to exult in the misery of convicts listening to the sentence of death, and of families clad in mourning. The rabble congregated before his deserted mansion in Duke Street, and read on the door, with shouts of laughter, the bills which announced the sale of his property. Even delicate women, who had tears for highwaymen and housebreakers, breathed nothing but vengeance against him. The lampoons on him which were hawked about the town were distinguished by an atrocity rare even in those

* Halifax MS. in the British Museum.

** The Life and Death of George Lord Jeffreys; Finch's speech in Grey's Debates, March 1. 168⅔.

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days. Hanging would be too mild a death for him: a grave under the gibbet too respectable a resting place: he ought to be whipped to death at the cart's tail: he ought to be tortured like an Indian: he ought to be devoured alive. The street poets portioned out all his joints with cannibal ferocity, and computed how many pounds of steaks might be cut from his well fattened carcass. Nay, the rage of his enemies was such that, in language seldom heard in England, they proclaimed their wish that he might go to the place of wailing and gnashing of teeth, to the worm that never dies, to the fire that is never quenched. They exhorted him to hang himself in his garters, and to cut his throat with his razor. They put up horrible prayers that he might not be able to repent, that he might die the same hardhearted, wicked Jeffreys that he had lived.* His spirit, as mean in adversity as insolent and inhuman in prosperity, sank down under the load of public abhorrence. His constitution, originally bad, and much impaired by intemperance, was completely broken by distress and anxiety. He was tormented by a cruel internal disease, which the most skilful surgeons of that age were seldom able to relieve. One solace was left to him, brandy. Even when he had causes to try and councils to attend, he had seldom gone to bed sober. Now, when he had nothing to occupy his mind save terrible recollections and terrible forebodings, he abandoned himself without reserve to his favourite vice. Many believed him to be bent on shortening his life by excess. He thought it better,

* See, among many other pieces, Jeffreys's Elegy, the Letter to the Lord Chancellor exposing to him the sentiments of the people, the Elegy on Dangerfield, Dangerfield's Ghost to Jeffreys, the Humble Petition of Widows and fatherless Children in the West, the Lord Chancellor's Discovery and Confession made in the time of his sickness in the Tower; Hickeringill's Ceremonymonger; a broadside entitled "O rare show! O rare sight! O strange monster! The like not in Europe! To be seen near Tower Hill, a few doors beyond the Lion's den."

they said, to go off in a drunken fit than to be hacked by Ketch, or torn limb from limb by the populace.

Once he was roused from a state of abject despondency by an agreeable sensation, speedily followed by a mortifying disappointment. A parcel had been left for him at the Tower. It appeared to be a barrel of Colchester oysters, his favourite dainties. He was greatly moved: for there are moments when those who least deserve affection are pleased to think that they inspire it. "Thank God," he exclaimed, "I have still some friends left." He opened the barrel; and from among a heap of shells out tumbled a stout halter.*

It does not appear that one of the flatterers or buffoons whom he had enriched out of the plunder of his victims came to comfort him in the day of trouble. But he was not left in utter solitude. John Tutchin, whom he had sentenced to be flogged every fortnight for seven years, made his way into the Tower, and presented himself before the fallen oppressor. Poor Jeffreys, humbled to the dust, behaved with abject civility, and called for wine. "I am glad, sir," he said, "to see you." "And I am glad," answered the resentful Whig, "to see Your Lordship in this place." "I served my master," said Jeffreys: "I was bound in conscience to do so." "Where was your conscience," said Tutchin, "when you passed that sentence on me at Dorchester?" "It was set down in my instructions," answered Jeffreys, fawningly, "that I was to show no mercy to men like you, men of parts and courage. When I went back to court I was reprimanded for my lenity."** Even Tutchin, acrimonious as was his nature, and great as were his wrongs, seems to have been a little mollified by the pitiable spectacle which he had at first contemplated with vindictive pleasure. He

* Life and Death of George Lord Jeffreys.

** Tutchin himself gives this narrative in the Bloody Assizes.

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always denied the truth of the report that he was the person who sent the Colchester barrel to the Tower.

A more benevolent man, John Sharp, the excellent Dean of Norwich, forced himself to visit the prisoner. It was a painful task: but Sharp had been treated by Jeffreys, in old times, as kindly as it was in the nature of Jeffreys to treat any body, and had once or twice been able, by patiently waiting till the storm of curses and invectives had spent itself, and by dexterously seizing the moment of good humour, to obtain for unhappy families some mitigation of their sufferings. The prisoner was surprised and pleased. "What," he said, "dare you own me now?" It was in vain, however, that the amiable divine tried to give salutary pain to that seared conscience. Jeffreys, instead of acknowledging his guilt, exclaimed vehemently against the injustice of mankind. "People call me a murderer for doing what at the time was applauded by some who are now high in public favour. They call me a drunkard because I take punch to relieve me in my agony." He would not admit that, as President of the High Commission, he had done any thing that deserved reproach. His colleagues, he said, were the real criminals; and now they threw all the blame on him. He spoke with peculiar asperity of Sprat, who had undoubtedly been the most humane and moderate member of the board.

It soon became clear that the wicked judge was fast sinking under the weight of bodily and mental suffering. Doctor John Scott, prebendary of Saint Paul's, a clergyman of great sanctity, and author of the Christian Life, a treatise once widely renowned, was summoned, probably on the recommendation of his intimate friend Sharp, to the bedside of the dying man. It was in vain, however, that Scott spoke, as Sharp had already spoken, of the hideous butcheries of Dorchester and Taunton. To the last Jeffreys continued to repeat that those who thought him cruel

did not know what his orders were, that he deserved praise instead of blame, and that his clemency had drawn on him the extreme displeasure of his master.* CHAP. XIV. 1689.

Disease, assisted by strong drink and by misery, did its work fast. The patient's stomach rejected all nourishment. He dwindled in a few weeks from a portly and even corpulent man to a skeleton. On the eighteenth of April he died, in the forty first year of his age. He had been Chief Justice of the King's Bench at thirty five, and Lord Chancellor at thirty seven. In the whole history of the English bar there is no other instance of so rapid an elevation, or of so terrible a fall. The emaciated corpse was laid, with all privacy, next to the corpse of Monmouth in the chapel of the Tower.**

The fall of this man, once so great and so much dreaded, the horror with which he was regarded by all the respectable

* See the Life of Archbishop Sharp by his son. What passed between Scott and Jeffreys was related by Scott to Sir Joseph Jekyl. See Tindal's History; Echard, iii. 932. Echard's informant, who is not named, but who seems to have had good opportunities of knowing the truth, said that Jeffreys died, not, as the vulgar believed, of drink, but of the stone. The distinction seems to be of little importance. It is certain that Jeffreys was grossly intemperate; and his malady was one which intemperance notoriously tends to aggravate.

** See a Full and True Account of the Death of George Lord Jeffreys, licensed on the day of his death. The wretched Le Noble was never weary of repeating that Jeffreys was poisoned by the usurper. I will give a short passage as a specimen of the calumnies of which William was the object. "Il envoya," says Pasquin, "ce fin ragoût de champignons au Chancelier Jeffreys, prisonnier dans la Tour, qui les trouva du même goust, et du même assaisonnement que furent les derniers dont Agrippine regala le bon-homme Claudius son époux, et que Neron appella depuis la viande des Dieux." Marforio asks: "Le Chancelier est donc mort dans la Tour?" Pasquin answers: "Il estoit trop fidèle à son Roi légitime, et trop habile dans les loix du royaume, pour échapper à l'Usurpateur qu'il ne vouloit point reconnoistre. Guillemot prit soin de faire publier que ce malheureux prisonnier estoit attaqué d'une fièvre maligne: mais, à parler franchement, il vivroit peutestre encore, s'il n'avoit rien mangé que de la main de ses anciens cuisiniers." — Le Festin de Guillemot, 1689. Dangeau (May 7.) mentions a report that Jeffreys had poisoned himself.

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members of his own party, the manner in which the least respectable members of that party renounced fellowship with him in his distress, and threw on him the whole blame of crimes which they had encouraged him to commit, ought to have been a lesson to those intemperate friends of liberty who were clamouring for a new proscription. But it was a lesson which too many of them disregarded. The King had, at the very commencement of his reign, displeased them by appointing a few Tories and Trimmers to high offices; and the discontent excited by these appointments had been inflamed by his attempt to obtain a general amnesty for the vanquished. He was in truth not a man to be popular with the vindictive zealots of any faction. For among his peculiarities was a certain ungracious humanity which rarely conciliated his foes, which often provoked his adherents, but in which he doggedly persisted, without troubling himself either about the thanklessness of those whom he had saved from destruction, or about the rage of those whom he had disappointed of their revenge. Some of the Whigs now spoke of him as bitterly as they had ever spoken of either of his uncles. He was a Stuart after all, and was not a Stuart for nothing. Like the rest of the race, he loved arbitrary power. In Holland, he had succeeded in making himself, under the forms of a republican polity, scarcely less absolute than the old hereditary Counts had been. In consequence of a strange combination of circumstances, his interest had, during a short time, coincided with the interest of the English people: but though he had been a deliverer by accident, he was a despot by nature. He had no sympathy with the just resentments of the Whigs. He had objects in view which the Whigs would not willingly suffer any Sovereign to attain. He knew that the Tories were the only tools for his purpose. He had therefore, from the moment at which he took his seat on the throne, favoured them unduly. He was now trying to procure an

The Whigs dissatisfied with the King.

indemnity for those very delinquents whom he had, a few months before, described in his Declaration as deserving of exemplary punishment. In November he had told the world that the crimes in which these men had borne a part had made it the duty of subjects to violate their oath of allegiance, of soldiers to desert their standards, of children to make war on their parents. With what consistency then could he recommend that such crimes should be covered by a general oblivion? And was there not too much reason to fear that he wished to save the agents of tyranny from the fate which they merited, in the hope that, at some future time, they might serve him as unscrupulously as they had served his father in law?*

Intemperance of Howe.

Of the members of the House of Commons who were animated by these feelings, the fiercest and most audacious was Howe. He went so far on one occasion as to move that an inquiry should be instituted into the proceedings of the Parliament of 1685, and that some note of infamy should be put on all who, in that Parliament, had voted with the Court. This absurd and mischievous motion was discountenanced by all the most respectable Whigs, and strongly opposed by Birch and Maynard.** Howe was forced to give way: but he was a man whom no check could abash; and he was encouraged by the applause of many hotheaded members of his party, who were far from foreseeing that he would, after having been the most rancorous and unprincipled of Whigs, become, at no distant time, the most rancorous and unprincipled of Tories.

* Among the numerous pieces in which the malcontent Whigs vented their anger, none is more curious than the poem entitled the Ghost of Charles the Second. Charles addresses William thus:

"Hail, my blest nephew, whom the fates ordain
To fill the measure of the Stuart's reign,
That all the ills by our whole race designed
In thee their full accomplishment might find:
'Tis thou that art decreed this point to clear,
Which we have laboured for these fourscore year."

** Grey's Debates, June 12. 1689.

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Attack on Caermarthen.

This quickwitted, restless and malignant politician, though himself occupying a lucrative place in the royal household, declaimed, day after day, against the manner in which the great offices of state were filled; and his declamations were echoed, in tones somewhat less sharp and vehement, by other orators. No man, they said, who had been a minister of Charles or of James ought to be a minister of William. The first attack was directed against the Lord President Caermarthen. Howe moved that an address should be presented to the King, requesting that all persons who had ever been impeached by the Commons might be dismissed from His Majesty's counsels and presence. The debate on this motion was repeatedly adjourned. While the event was doubtful, William sent Dykvelt to expostulate with Howe. Howe was obdurate. He was what is vulgarly called a disinterested man; that is to say, he valued money less than the pleasure of venting his spleen and of making a sensation. "I am doing the King a service," he said: "I am rescuing him from false friends: and, as to my place, that shall never be a gag to prevent me from speaking my mind." The motion was made, but completely failed. In truth the proposition, that mere accusation, never prosecuted to conviction, ought to be considered as a decisive proof of guilt, was shocking to natural justice. The faults of Caermarthen had doubtless been great; but they had been exaggerated by party spirit, had been expiated by severe suffering, and had been redeemed by recent and eminent services. At the time when he raised the great county of York in arms against Popery and tyranny, he had been assured by some of the most eminent Whigs that all old quarrels were forgotten. Howe indeed maintained that the civilities which had passed in the moment of peril signified nothing. "When a viper is on my hand," he said, "I am very tender of him; but, as soon as I have him on the ground, I set my foot on him and crush him." The Lord

President, however, was so strongly supported that, after a discussion which lasted three days, his enemies did not venture to take the sense of the House on the motion against him. In the course of the debate a grave constitutional question was incidentally raised. This question was whether a pardon could be pleaded in bar of a parliamentary impeachment. The Commons resolved, without a division, that a pardon could not be so pleaded.*

Attack on Halifax.

The next attack was made on Halifax. He was in a much more invidious position than Caermarthen, who had, under pretence of ill health, withdrawn himself almost entirely from business. Halifax was generally regarded as the chief adviser of the Crown, and was in an especial manner held responsible for all the faults which had been committed with respect to Ireland. The evils which had brought that kingdom to ruin might, it was said, have been averted by timely precaution, or remedied by vigorous exertion. But the government had foreseen nothing: it had done little; and that little had been done neither at the right time nor in the right way. Negotiation had been employed instead of troops, when a few troops might have sufficed. A few troops had been sent when many were needed. The troops that had been sent had been ill equipped and ill commanded. Such, the vehement Whigs exclaimed, were the natural fruits of that great error which King William had committed on the first day of his reign. He had placed in Tories and Trimmers a confidence which they did not deserve. He had, in a peculiar manner, entrusted the direction of Irish affairs to the Trimmer of Trimmers, to a man whose ability nobody disputed, but who was not firmly attached to the new government, who, indeed, was incapable of being firmly attached to any government, who had always halted between two

* See Commons' Journals, and Grey's Debates, June 1. 3. and 4. 1689; Life of William, 1704.

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opinions, and who, till the moment of the flight of James, had not given up the hope that the discontents of the nation might be quieted without a change of dynasty. Howe, on twenty occasions, designated Halifax as the cause of all the calamities of the country. Monmouth held similar language in the House of Lords. Though First Lord of the Treasury, he paid no attention to financial business, for which he was altogether unfit, and of which he had very soon become weary. His whole heart was in the work of persecuting the Tories. He plainly told the King that nobody who was not a Whig ought to be employed in the public service. William's answer was cool and determined. "I have done as much for your friends as I can do without danger to the state; and I will do no more."* The only effect of this reprimand was to make Monmouth more factious than ever. Against Halifax especially he intrigued and harangued with indefatigable animosity. The other Whig Lords of the Treasury, Delamere and Capel, were scarcely less eager to drive the Lord Privy Seal from office; and personal jealousy and antipathy impelled the Lord President to conspire with his own accusers against his rival.

What foundation there may have been for the imputations thrown at this time on Halifax.cannot now be fully ascertained. His enemies, though they interrogated numerous witnesses, and though they obtained William's reluctant permission to inspect the minutes of the Privy Council, could find no evidence which would support a definite charge.** But it was undeniable that the Lord Privy Seal had acted as minister for Ireland, and that Ireland was all but lost. It is unnecessary, and indeed absurd, to suppose, as many Whigs supposed, that his administration was unsuccessful because he did not wish it to be

* Burnet MS. Harl. 6584.; Avaux to De Croissy, June $\frac{15}{25}$. 1689.

** As to the minutes of the Privy Council, see the Commons' Journals of June 22. and 28., and of July 3. 5. 13. and 16.

successful. The truth seems to be that the difficulties of the situation were great, and that he, with all his ingenuity and eloquence, was ill qualified to cope with those difficulties. The whole machinery of government was out of joint; and he was not the man to set it right. What was wanted was not what he had in large measure, wit, taste, amplitude of comprehension, subtlety in drawing distinctions; but what he had not, prompt decision, indefatigable energy, and stubborn resolution. His mind was at best of too soft a temper for such work as he had now to do, and had been recently made softer by severe affliction. He had lost two sons in less than twelve months. A letter is still extant, in which he at this time complained to his honoured friend Lady Russell of the desolation of his hearth and of the cruel ingratitude of the Whigs. We possess, also, the answer, in which she gently exhorted him to seek for consolation where she had found it under trials not less severe than his.*

The first attack on him was made in the Upper House. Some Whig Lords, among whom the wayward and petulant First Lord of the Treasury was conspicuous, proposed that the King should be requested to appoint a new Speaker. The friends of Halifax moved and carried the previous question.** About three weeks later his persecutors moved, in a Committee of the whole House of Commons, a resolution which imputed to him no particular crime either of omission or of commission, but simply declared it to be advisable that he should be dismissed from the service of the Crown. The debate was warm. Moderate poli-

* The letter of Halifax to Lady Russell is dated on the 23d of July 1689, about a fortnight after the attack on him in the Lords, and about a week before the attack on him in the Commons.

** See the Lords' Journals of July 10. 1689, and a letter from London dated July $\frac{1}{11}$, and transmitted by Croissy to Avaux. Don Pedro de Ronquillo mentions this attack of the Whig Lords on Halifax in a despatch of which I cannot make out the date.

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ticians of both parties were unwilling to put a stigma on a man, not indeed faultless, but distinguished both by his abilities and by his amiable qualities. His accusers saw that they could not carry their point, and tried to escape from a decision which was certain to be adverse to them, by proposing that the Chairman should report progress. But their tactics were disconcerted by the judicious and spirited conduct of Lord Eland, now the Marquess's only son. "My father has not deserved," said the young nobleman, "to be thus trifled with. If you think him culpable, say so. He will at once submit to your verdict. Dismission from Court has no terrors for him. He is raised, by the goodness of God, above the necessity of looking to office for the means of supporting his rank." The Committee divided, and Halifax was absolved by a majority of fourteen.*

Preparations for a campaign in Ireland.

Had the division been postponed a few hours, the majority would probably have been much greater. The Commons voted under the impression that Londonderry had fallen, and that all Ireland was lost. Scarcely had the House risen when a courier arrived with news that the boom on the Foyle had been broken. He was speedily followed by a second, who announced the

* This was on Saturday the 3d of August. As the division was in Committee, the numbers do not appear in the Journals. Clarendon, in his Diary, says that the majority was eleven. But Narcissus Luttrell, Oldmixon, and Tindal agree in putting it at fourteen. Most of the little information which I have been able to find about the debate is contained in a despatch of Don Pedro de Ronquillo. "Se resolvio," he says, "que el sabado, en comity de toda la casa, se tratasse del estado de la nacion para representarle al Rey. Emperose por acusar al Marques de Olifax; y reconociendo sus emulos que no tenian partido bastante, quisieron remitir para otro dia esta mocion: pero el Conde de Elan, primogenito del Marques de Olifax, miembro de la casa, les dijo que su padre no era hombre para andar peloteando con el, y que se tubiesse culpa lo acabasen de castigar, que el no havia menester estar en la corte para portarse conforme á su estado, pues Dios le havia dado abundamente para poderlo hazer; con que por pluralidad de voces vencio su partido." I suspect that Lord Eland meant to sneer at the poverty of some of his father's persecutors, and at the greediness of others.

raising of the siege, and by a third who brought the tidings of the battle of Newton Butler. Hope and exultation succeeded to discontent and dismay.* Ulster was safe; and it was confidently expected that Schomberg would speedily reconquer Leinster, Connaught, and Munster. He was now ready to set out. The port of Chester was the place from which he was to take his departure. The army which he was to command had assembled there; and the Dee was crowded with men of war and transports. Unfortunately almost all those English soldiers who had seen war had been sent to Flanders. The bulk of the force destined for Ireland consisted of men just taken from the plough and the threshing floor. There was, however, an excellent brigade of Dutch troops under the command of an experienced officer, the Count of Solmes. Four regiments, one of cavalry and three of infantry, had been formed out of the French refugees, many of whom had borne arms with credit. No person did more to promote the raising of these regiments than the Marquess of Ruvigny. He had been during many years an eminently faithful and useful servant of the French government. So highly was his merit appreciated at Versailles that he had been solicited to accept indulgences which scarcely any other heretic could by any solicitation obtain. Had he chosen to remain in his native country, he and his household would have been permitted to worship God privately according to their own forms. But Ruvigny rejected all offers, cast in his lot with his brethren, and, at upwards of eighty years of age, quitted Versailles, where he might still have been a favourite, for a modest dwelling at Greenwich. That dwelling was, during the last months of his life, the resort of all that was most distinguished among his fellow exiles. His abilities, his experience and his munificent kindness, made him the undisputed chief of

* This change of feeling, immediately following the debate on the motion for removing Halifax, is noticed by Ronquillo.

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the refugees. He was at the same time half an Englishman: for his sister had been Countess of Southampton, and he was uncle of Lady Russell. He was long past the time of action. But his two sons, both men of eminent courage, devoted their swords to the service of William. The younger son, who bore the name of Caillemote, was appointed colonel of one of the Huguenot regiments of foot. The two other regiments of foot were commanded by La Melloniere and Cambon, officers of high reputation. The regiment of horse was raised by Schomberg himself, and bore his name. Ruvigny lived just long enough to see these arrangements complete.*

Schomberg.

The general to whom the direction of the expedition against Ireland was confided had wonderfully succeeded in obtaining the affection and esteem of the English nation. He had been made a Duke, a Knight of the Garter, and Master of the Ordnance: he was now placed at the head of an army: and yet his elevation excited none of that jealousy which showed itself as often as any mark of royal favour was bestowed on Bentinck, on Zulestein, or on Auverquerque. Schomberg's military skill was universally acknowledged. He was regarded by all Protestants as a confessor who had endured every thing short of martyrdom for the truth. For his religion he had resigned a splendid income, had laid down the truncheon of a Marshal of France, and had, at near eighty years of age, begun the world again as a needy soldier of fortune. As he had no connection with the United Provinces, and had never belonged to the little Court of the Hague, the preference given to him over English captains was justly ascribed, not to national or personal par-

* As to Ruvigny, see Saint Simon's Memoirs of the year 1697; Burnet, i. 366. There is some interesting information about Ruvigny and about the Huguenot regiments in a narrative written by a French refugee of the name of Dumont. This narrative, which is in manuscript, and which I shall occasionally quote as the Dumont MS., was kindly lent to me by the Dean of Ossory.

tiality, but to his virtues and his abilities. His deportment differed widely from that of the other foreigners who had just been created English peers. They, with many respectable qualities, were, in tastes, manners, and predilections, Dutchmen, and could not catch the tone of the society to which they had been transferred. He was a citizen of the world, had travelled over all Europe, had commanded armies on the Meuse, on the Ebro, and on the Tagus, had shone in the splendid circle of Versailles, and had been in high favour at the court of Berlin. He had often been taken by French noblemen for a French nobleman. He had passed some time in England, spoke English remarkably well, accommodated himself easily to English manners, and was often seen walking in the park with English companions. In youth his habits had been temperate; and his temperance had its proper reward, a singularly green and vigorous old age. At fourscore he retained a strong relish for innocent pleasures: he conversed with great courtesy and sprightliness: nothing could be in better taste than his equipages and his table; and every cornet of cavalry envied the grace and dignity with which the veteran appeared in Hyde Park on his charger at the head of his regiment.* The House of Commons had, with general approbation, compensated his losses and rewarded his services by a grant of a hundred thousand pounds. Before he set out for Ireland, he requested permission to express his gratitude for this magnificent present. A chair was set for him within the bar. He took his seat there with the mace at his right hand, rose, and in a few graceful words returned his thanks and took his leave. The Speaker replied that the Commons could never forget the obligation under which they already lay to His Grace, that they saw him

* See the Abrégé de la Vie de Frederic Duc de Schomberg by Lunancy, 1690, the Memoirs of Count Dohna, and the note of Saint Simon on Dangeau's Journal, July 30. 1690.

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with pleasure at the head of an English army, that they felt entire confidence in his zeal and ability, and that, at whatever distance he might be, he would always be in a peculiar manner an object of their care. The precedent set on this interesting occasion was followed with the utmost minuteness, a hundred and twenty five years later, on an occasion more interesting still. Exactly on the same spot on which, in July 1689, Schomberg had acknowledged the liberality of the nation, a chair was set, in July 1814, for a still more illustrious warrior, who came to return thanks for a still more splendid mark of public gratitude. Few things illustrate more strikingly the peculiar character of the English government and people than the circumstance that the House of Commons, a popular assembly, should, even in a moment of joyous enthusiasm, have adhered to ancient forms with the punctilious accuracy of a College of Heralds; that the sitting and rising, the covering and the uncovering, should have been regulated by exactly the same etiquette in the nineteenth century as in the seventeenth; and that the same mace which had been held at the right hand of Schomberg should have been held in the same position at the right hand of Wellington.*

Recess of the Parliament.

On the twentieth of August the Parliament, having been constantly engaged in business during seven months, broke up, by the royal command, for a short recess. The same Gazette which announced that the Houses had ceased to sit announced that Schomberg had landed in Ireland.**

State of Ireland. Advice of Avaux.

During the three weeks which preceded his landing, the dismay and confusion at Dublin Castle had been extreme. Disaster had followed disaster so fast that the mind of James, never very firm, had been completely prostrated. He had learned

* See the Commons' Journals of July 16. 1689, and of July 1. 1814.

** Journals of the Lords and Commons, Aug. 20. 1689; London Gazette, Aug. 22.

first that Londonderry had been relieved; then that one of his armies had been beaten by the Enniskilleners; then that another of his armies was retreating, or rather flying, from Ulster, reduced in numbers and broken in spirit; then that Sligo, the key of Connaught, had been abandoned to the Englishry. He had found it impossible to subdue the colonists, even when they were left almost unaided. He might therefore well doubt whether it would be possible for him to contend against them when they were backed by an English army, under the command of the greatest general living? The unhappy prince seemed, during some days, to be sunk in despondency. On Avaux the danger produced a very different effect. Now, he thought, was the time to turn the war between the English and the Irish into a war of extirpation, and to make it impossible that the two nations could ever be united under one government. With this view, he coolly submitted to the King a proposition of almost incredible atrocity. There must be a Saint Bartholomew. A pretext would easily be found. No doubt, when Schomberg was known to be in Ireland, there would be some excitement in those southern towns of which the population was chiefly English. Any disturbance, wherever it might take place, would furnish an excuse for a general massacre of the Protestants of Leinster, Munster, and Connaught.* As the King did not at first express any horror at this suggestion,** the Envoy, a few days later, renewed the subject, and pressed His Majesty to give the necessary orders. Then James, with a warmth which did him honour, declared that

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* "J'estois d'avis qu', après que la descente seroit faite, si on apprenoit que des Protestans se fussent soulevez en quelques endroits du royaume, on fit main basse sur tous généralement." — Avaux, $\frac{\text{July 31.}}{\text{Aug. 10.}}$ 1689.

** "Le Roy d'Angleterre m'avoit écouté assez paisiblement la première fois que je luy avois proposé ce qu'il y avoit à faire contre les Protestans." — Avaux, Aug. $\frac{4}{14}$.

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nothing should induce him to commit such a crime. "These people are my subjects; and I cannot be so cruel as to cut their throats while they live peaceably under my government." "There is nothing cruel," answered the callous diplomatist, "in what I recommend. Your Majesty ought to consider that mercy to Protestants is cruelty to Catholics." James, however, was not to be moved; and Avaux retired in very bad humour. His belief was that the King's professions of humanity were hypocritical, and that, if the orders for the butchery were not given, they were not given only because His Majesty was confident that the Catholics all over the country would fall on the Protestants without waiting for orders.* But Avaux was entirely mistaken. That he should have supposed James to be as profoundly immoral as himself is not strange. But it is strange that so able a man should have forgotten that James and himself had quite different objects in view. The object of the Ambassador's politics was to make the separation between England and Ireland eternal. The object of the King's politics was to unite England and Ireland under his own sceptre; and he could not but be aware that, if there should be a general massacre of the Protestants of three provinces, and he should be suspected of having authorised it or of having connived at it, there would in a fortnight be not a Jacobite left even at Oxford.**

* Avaux, Aug. $\frac{4}{14}$. He says, "Je m'imagine qu'il est persuadé que, quoiqu'il ne donne point d'ordre sur cela, la plupart des Catholiques de la campagne se jetteront sur les Protestans."

** Lewis, $\frac{\text{Aug. 27.}}{\text{Sept. 6.}}$, reprimanded Avaux, though much too gently, for proposing to butcher the whole Protestant population of Leinster, Connaught, and Munster. "Je n'approuve pas cependant la proposition que vous faites de faire main basse sur tous les Protestans du royaume, du moment qu', en quelque endroit que ce soit, ils se seront soulevez: et, outre que la punition d'une infinité d'innocens pour peu de coupables ne seroit pas juste, d'ailleurs les représailles contre les Catholiques seroient d'autant plus dangereuses, que les premiers se trouveront mieux armez et soutenus de toutes les forces d'Angleterre."

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Just at this time the prospects of James, which had seemed hopelessly dark, began to brighten. The danger which had unnerved him had roused the Irish people. They had, six months before, risen up as one man against the Saxons. The army which Tyrconnel had formed was, in proportion to the population from which it was taken, the largest that Europe had ever seen. But that army had sustained a long succession of defeats and disgraces, unredeemed by a single brilliant achievement. It was the fashion, both in England and on the Continent, to ascribe those defeats and disgraces to the pusillanimity of the Irish race.* That this was a great error is sufficiently proved by the history of every war which has been carried on in any part of Christendom during five generations. The raw material out of which a good army may be formed existed in great abundance among the Irish. Avaux informed his government that they were a remarkably handsome, tall, and well made race; that they were personally brave; that they were sincerely attached to the cause for which they were in arms; that they were violently exasperated against the colonists. After extolling their strength and spirit, he proceeded to explain why it was that, with all their strength and spirit, they were constantly beaten. It was vain, he said, to imagine that bodily prowess, animal courage, or patriotic enthusiasm would, in the day of battle, supply the place of discipline. The infantry were ill armed and ill trained. They were suffered to pillage wherever they went. They had contracted all the habits of banditti. There was among them scarcely one officer capable of showing them their duty. Their colonels were generally men of good family, but men who had never seen service.

* Ronquillo, Aug. $\frac{9}{19}$., speaking of the siege of Londonderry, expresses his astonishment "que una plaza sin fortificazion y sin gentes de guerra aya hecho una defensa tan gloriosa, y que los sitiadores al contrario ayan sido tan poltrones."

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The captains were butchers, tailors, shoemakers. Hardly one of them troubled himself about the comforts, the accoutrements, or the drilling of those over whom he was placed. The dragoons were little better than the infantry. But the horse were, with some exceptions, excellent. Almost all the Irish gentlemen who had any military experience held commissions in the cavalry; and, by the exertions of these officers, some regiments had been raised and disciplined which Avaux pronounced equal to any that he had ever seen. It was therefore evident that the inefficiency of the foot and of the dragoons was to be ascribed to the vices, not of the Irish character, but of the Irish administration.*

The events which took place in the autumn of 1689 sufficiently proved that the ill fated race, which enemies and allies generally agreed in regarding with unjust contempt, had, together with the faults inseparable from poverty, ignorance, and superstition, some fine qualities which have not always

* This account of the Irish army is compiled from numerous letters written by Avaux to Lewis and to Lewis's ministers. I will quote a few of the most remarkable passages. "Les plus beaux hommes," Avaux says of the Irish, "qu'on peut voir. Il n'y en a presque point au dessous de cinq pieds cinq à six pouces." It will be remembered that the French foot is longer than ours. "Ils sont très bien faits: mais il ne sont ny disciplinez ny armez, et de surplus sont de grands voleurs." "La plupart de ces régimens sont levez par des gentilshommes qui n'ont jamais esté à l'armée. Ce sont des tailleurs, des bouchers, des cordonniers, qui ont formé les compagnies et qui en sont les Capitaines." "Jamais troupes n'ont marché comme font celles-cy. Ils vont comme des bandits, et pillent tout ce qu'ils trouvent en chemin." "Quoiqu'il soit vrai que les soldats paroissent fort résolus à bien faire, et qu'ils soient fort animez contre les rebelles, néantmoins il ne suffit pas de cela pour combattre. . . . . Les officiers subalternes sont mauvais, et, à la reserve d'un très petit nombre, il n'y en a point qui ayt soin des soldats, des armes, et de la discipline." "On a beaucoup plus de confiance en la cavalerie, dont la plus grande partie est assez bonne." Avaux mentions several regiments of horse with particular praise. Of two of these he says, "On ne peut voir de meilleur régiment." The correctness of the opinion which he had formed both of the infantry and of the cavalry was, after his departure from Ireland, signally proved at the Boyne.

been found in more prosperous and more enlightened communities. The evil tidings which terrified and bewildered James stirred the whole population of the southern provinces like the peal of a trumpet sounding to battle. That Ulster was lost, that the English were coming, that the death grapple between the two hostile nations was at hand, was proclaimed from all the altars of three and twenty counties. One last chance was left; and, if that chance failed, nothing remained but the despotic, the merciless, rule of the Saxon colony and of the heretical church. The Roman Catholic priest who had just taken possession of the glebe house and the chancel, the Roman Catholic squire who had just been carried back on the shoulders of the shouting tenantry into the hall of his fathers, would be driven forth to live on such alms as peasants, themselves oppressed and miserable, could spare. A new confiscation would complete the work of the Act of Settlement; and the followers of William would seize whatever the followers of Cromwell had spared. These apprehensions produced such an outbreak of patriotic and religious enthusiasm as deferred for a time the inevitable day of subjugation. Avaux was amazed by the energy which, in circumstances so trying, the Irish displayed. It was indeed the wild and unsteady energy of a half barbarous people: it was transient: it was often misdirected: but, though transient and misdirected, it did wonders. The French Ambassador was forced to own that those officers of whose incompetency and inactivity he had so often complained had suddenly shaken off their lethargy. Recruits came in by thousands. The ranks which had been thinned under the walls of Londonderry were soon again full to overflowing. Great efforts were made to arm and clothe the troops; and, in the short space of a fortnight, every thing presented a new and cheering aspect.*

* I will quote a passage or two from the despatches written at this

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Dismission of Melfort.

The Irish required of the King, in return for their strenuous exertions in his cause, one concession which was by no means agreeable to him. The unpopularity of Melfort had become such, that his person was scarcely safe. He had no friend to speak a word in his favour. The French hated him. In every letter which arrived at Dublin from England or from Scotland, he was described as the evil genius of the House of Stuart. It was necessary for his own sake to dismiss him. An honourable pretext was found. He was ordered to repair to Versailles, to represent there the state of affairs in Ireland, and to implore the French government to send over without delay six or seven thousand veteran infantry. He laid down the seals; and they were, to the great delight of the Irish, put into the hands of an Irishman, Sir Richard Nagle, who had made himself conspicuous as Attorney General and Speaker of the House of Commons. Melfort took his departure under cover of the night: for the rage of the populace against him was such that he could not without danger show himself in the streets of Dublin by day. On the following morning James left his capital in the opposite direction to encounter Schomberg.*

Schomberg lands in Ulster.

Schomberg had landed in Antrim. The force which he had brought with him did not exceed ten thousand men. But he expected to be joined by the armed colonists and by the regiments which were under Kirke's command. The coffeehouse

time by Avaux. On September $\frac{7}{17}$. he says: "De quelque costé qu'on se tournât, on ne pouvoit rien prevoir que de désagréable. Mais dans cette extrémité chacun s'est évertué. Les officiers ont fait leurs recrues avec beaucoup de diligence." Three days later he says: "Il y a quinze jours que nous n'espérions guère de pouvoir mettre les choses en si bon estat: mais my Lord Tyrconnel et tous les Irlandais ont travaillé avec tant d'empressement qu'on s'est mis en estat de deffense."

* Avaux, Aug. $\frac{30}{\text{Sep. } 9}$. $\frac{\text{Aug. } 25.}{\text{Sep. } 4.}$ $\frac{\text{Aug. } 26.}{\text{Sep. } 5.}$; Life of James, ii. 373.; Melfort's vindication of himself among the Nairne Papers. Avaux says: "Il pourra partir ce soir à la nuit: car je vois bien qu'il apprehende qu'il ne sera pas sur pour luy de partir en plein jour."

politicians of London fully expected that such a general with such an army would speedily reconquer the island. Unhappily it soon appeared that the means which had been furnished to him were altogether inadequate to the work which he had to perform: of the greater part of these means he was speedily deprived by a succession of unforeseen calamities; and the whole campaign was merely a long struggle maintained by his prudence and resolution against the utmost spite of fortune.

Carrickfergus taken.

He marched first to Carrickfergus. That town was held for James by two regiments of infantry. Schomberg battered the walls; and the Irish, after holding out a week, capitulated. He promised that they should depart unharmed; but he found it no easy matter to keep his word. The people of the town and neighbourhood were generally Protestants of Scottish extraction. They had suffered much during the short ascendency of the native race; and what they had suffered they were now eager to retaliate. They assembled in great multitudes, exclaiming that the capitulation was nothing to them, and that they would be revenged. They soon proceeded from words to blows. The Irish, disarmed, stripped, and hustled, clung for protection to the English officers and soldiers. Schomberg with difficulty prevented a massacre by spurring, pistol in hand, through the throng of the enraged colonists.*

From Carrickfergus Schomberg proceeded to Lisburn, and thence, through towns left without an inhabitant, and over plains on which not a cow, nor a sheep, nor a stack of corn was to be seen, to Loughbrickland. Here he was joined by three regiments of Enniskilleners, whose dress, horses, and arms looked strange to eyes accustomed to the pomp of reviews, but

* Story's Impartial History of the Wars of Ireland, 1693; Life of James, ii. 374.; Avaux, Sept. $\frac{7}{17}$. 1689; Nihell's Journal, printed in 1689, and reprinted by Macpherson.

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who in natural courage were inferior to no troops in the world, and who had, during months of constant watching and skirmishing, acquired many of the essential qualities of soldiers.*

Schomberg advances into Leinster.

Schomberg continued to advance towards Dublin through a desert. The few Irish troops which remained in the south of Ulster retreated before him, destroying as they retreated. Newry, once a well built and thriving Protestant borough, he found a heap of smoking ashes. Carlingford too had perished. The spot where the town had once stood was marked only by the massy remains of the old Norman castle. Those who ventured to wander from the camp reported that the country, as far as they could explore it, was a wilderness. There were cabins, but no inmates: there was rich pasture, but neither flock nor herd: there were cornfields; but the harvest lay on the ground soaked with rain.**

The English and Irish armies encamp near each other.

While Schomberg was advancing through a vast solitude, the Irish forces were rapidly assembling from every quarter. On the tenth of September the royal standard of James was unfurled on the tower of Drogheda; and beneath it were soon collected twenty thousand fighting men, the infantry generally bad, the cavalry generally good, but both infantry and cavalry full of zeal for their country and their religion.*** The troops were attended as usual by a great multitude of camp followers, armed with scythes, half pikes, and skeans. By this time Schomberg had reached Dundalk. The distance between the two armies was not more than a long day's march. It was therefore generally expected that the fate of the island would speedily be decided by a pitched battle.

* Story's Impartial History.

** Ibid.

*** Avaux, Sep. $\frac{18}{28}$. 1689; Story's Impartial History; Life of James, ii. 377, 378. Orig. Mem. Story and James agree in estimating the Irish army at about twenty thousand men. See also Dangeau, Oct. 28. 1689.

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In both camps, all who did not understand war were eager to fight; and, in both camps, the few who had a high reputation for military science were against fighting. Neither Rosen nor Schomberg wished to put every thing on a cast. Each of them knew intimately the defects of his own army; and neither of them was fully aware of the defects of the other's army. Rosen was certain that the Irish infantry were worse equipped, worse officered, and worse drilled, than any infantry that he had ever seen from the Gulf of Bothnia to the Atlantic; and he supposed that the English troops were well trained, and were, as they doubtless ought to have been, amply provided with every thing necessary to their efficiency. Numbers, he rightly judged, would avail little against a great superiority of arms and discipline. He therefore advised James to fall back, and even to abandon Dublin to the enemy, rather than hazard a battle the loss of which would be the loss of all. Athlone was the best place in the kingdom for a determined stand. The passage of the Shannon might be defended till the succours which Melfort had been charged to solicit came from France; and those succours would change the whole character of the war. But the Irish, with Tyrconnel at their head, were unanimous against retreating. The blood of the whole nation was up. James was pleased with the enthusiasm of his subjects, and positively declared that he would not disgrace himself by leaving his capital to the invaders without a blow.*

Schomberg declines a battle.

In a few days it became clear that Schomberg had determined not to fight. His reasons were weighty. He had some good Dutch and French troops. The Enniskilleners who had joined him had served a military apprenticeship, though not in a very regular manner. But the bulk of his army consisted of English peasants who had just left their cottages. His musketeers had still to learn how to load their pieces: his

Frauds of the English Commissariat.

* Life of James, ii. 377, 378. Orig. Mem.

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dragoons had still to learn how to manage their horses; and these inexperienced recruits were for the most part commanded by officers as inexperienced as themselves. His troops were therefore not generally superior in discipline to the Irish, and were in number far inferior. Nay, he found that his men were almost as ill armed, as ill lodged, as ill clad, as the Celts to whom they were opposed. The wealth of the English nation and the liberal votes of the English parliament had entitled him to expect that he should be abundantly supplied with all the munitions of war. But he was cruelly disappointed. The administration had, ever since the death of Oliver, been constantly becoming more and more imbecile, more and more corrupt; and now the Revolution reaped what the Restoration had sown. A crowd of negligent or ravenous functionaries, formed under Charles and James, plundered, starved, and poisoned the armies and fleets of William. Of these men the most important was Henry Shales, who, in the late reign, had been Commissary General to the camp at Hounslow. It is difficult to blame the new government for continuing to employ him: for, in his own department, his experience far surpassed that of any other Englishman. Unfortunately, in the same school in which he had acquired his experience, he had learned the whole art of peculation. The beef and brandy which he furnished were so bad that the soldiers turned from them with loathing: the tents were rotten: the clothing was scanty: the muskets broke in the handling. Great numbers of shoes were set down to the account of the government: but, two months after the Treasury had paid the bill, the shoes had not arrived in Ireland. The means of transporting baggage and artillery were almost entirely wanting. An ample number of horses had been purchased in England with the public money, and had been sent to the banks of the Dee. But Shales had let them out for harvest work to the farmers of Cheshire, had pocketed

the hire, and had left the troops in Ulster to get on as they best might.* Schomberg thought that, if he should, with an ill trained and ill appointed army, risk a battle against a superior force, he might not improbably be defeated; and he knew that a defeat might be followed by the loss of one kingdom, perhaps by the loss of three kingdoms. He therefore made up his mind to stand on the defensive till his men had been disciplined, and till reinforcements and supplies should arrive. CHAP. XIV. 1689.

He entrenched himself near Dundalk in such a manner that he could not be forced to fight against his will. James, emboldened by the caution of his adversary, and disregarding the advice of Rosen, advanced to Ardee, appeared at the head of the whole Irish army before the English lines, drew up horse, foot and artillery, in order of battle, and displayed his banner. The English were impatient to fall on. But their general had made up his mind, and was not to be moved by the bravadoes of the enemy or by the murmurs of his own soldiers. During some weeks he remained secure within his defences, while the Irish lay a few miles off. He set himself assiduously to drill those new levies which formed the greater part of his army. He ordered the musketeers to be constantly exercised in firing, sometimes at marks and sometimes by platoons; and, from the way in which they at first acquitted themselves, it plainly appeared that he had judged wisely in not leading them out to battle. It was found that not one in four of the English soldiers could manage his piece at all; and whoever succeeded in discharging it, no matter in what direction, thought that he had performed a great feat.

While the Duke was thus employed, the Irish eyed his camp without daring to attack it. But within that camp soon appeared two evils more terrible than the foe, treason and pestilence. Conspiracy among the French

* See Grey's Debates, Nov. 26, 27, 28. 1689, and the Dialogue between a Lord Lieutenant and one of his deputies, 1692.

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troops in the English service.

Among the best troops under his command were the French exiles. And now a grave doubt arose touching their fidelity. The real Huguenot refugee indeed might safely be trusted. The dislike with which the most zealous English Protestant regarded the House of Bourbon and the Church of Rome was a lukewarm feeling when compared with that inextinguishable hatred which glowed in the bosom of the persecuted, dragooned, expatriated Calvinist of Languedoc. The Irish had already remarked that the French heretic neither gave nor took quarter.* Now, however, it was found that with those emigrants who had sacrificed every thing for the reformed religion were intermingled emigrants of a very different sort, deserters who had run away from their standards in the Low Countries, and had coloured their crime by pretending that they were Protestants, and that their conscience would not suffer them to fight for the persecutor of their Church. Some of these men, hoping that by a second treason they might obtain both pardon and reward, opened a correspondence with Avaux. The letters were intercepted; and a formidable plot was brought to light. It appeared that, if Schomberg had been weak enough to yield to the importunity of those who wished him to give battle, several French companies would, in the heat of the action, have fired on the English, and gone over to the enemy. Such a defection might well have produced a general panic in a better army than that which was encamped under Dundalk. It was necessary to be severe. Six of the conspirators were hanged. Two hundred of their accomplices were sent in irons to England. Even after this winnowing, the refugees were long regarded by the rest of the army with unjust but not unnatural suspicion. During some days indeed there was great reason to fear that the enemy would

* Nihell's Journal. A French officer, in a letter to Avaux, written soon after Schomberg's landing, says, "Les Huguenots font plus de mal que les Anglois, et tuent force Catholiques pour avoir fait résistance."

be entertained with a bloody fight between the English soldiers and their French allies.*

Pestilence in the English army.

A few hours before the execution of the chief conspirators, a general muster of the army was held; and it was observed that the ranks of the English battalions looked thin. From the first day of the campaign, there had been much sickness among the recruits: but it was not till the time of the equinox that the mortality became alarming. The autumnal rains of Ireland are usually heavy; and this year they were heavier than usual. The whole country was deluged; and the Duke's camp became a marsh. The Enniskillen men were seasoned to the climate. The Dutch were accustomed to live in a country which, as a wit of that age said, draws fifty feet of water. They kept their huts dry and clean; and they had experienced and careful officers who did not suffer them to omit any precaution. But the peasants of Yorkshire and Derbyshire had neither constitutions prepared to resist the pernicious influence, nor skill to protect themselves against it. The bad provisions furnished by the Commissariat aggravated the maladies generated by the air. Remedies were almost entirely wanting. The surgeons were few. The medicine chests contained little more than lint and plaisters for wounds. The English sickened and died by hundreds. Even those who were not smitten by the pestilence were unnerved and dejected, and, instead of putting forth the energy which is the heritage of our race, awaited their fate with the helpless apathy of Asiatics. It was in vain that Schomberg tried to teach them to improve their habitations, and to cover the wet earth on which they lay with a thick carpet of fern. Exertion had become more dreadful to them than death. It was not to

* Story; Narrative transmitted by Avaux to Seignelay, $\frac{\text{Nov. 26.}}{\text{Dec. 6.}}$ 1689; London Gazette, Oct. 14. 1689. It is curious that, though Dumont was in the camp before Dundalk, there is in his MS. no mention of the conspiracy among the French.

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be expected that men who would not help themselves should help each other. Nobody asked and nobody showed compassion. Familiarity with ghastly spectacles produced a hard-heartedness and a desperate impiety, of which an example will not easily be found even in the history of infectious diseases. The moans of the sick were drowned by the blasphemy and ribaldry of their comrades. Sometimes, seated on the body of a wretch who had died in the morning, might be seen a wretch destined to die before night, cursing, singing loose songs, and swallowing usquebaugh to the health of the devil. When the corpses were taken away to be buried the survivors grumbled. A dead man, they said, was a good screen and a good stool. Why, when there was so abundant a supply of such useful articles of furniture, were people to be exposed to the cold air and forced to crouch on the moist ground? *

Many of the sick were sent by the English vessels which lay off the coast to Belfast, where a great hospital had been prepared. But scarce half of them lived to the end of the voyage. More than one ship lay long in the bay of Carrickfergus heaped with carcasses, and exhaling the stench of death, without a living man on board.**

The Irish army suffered much less. The kerne of Munster or Connaught was quite as well off in the camp as if he had been in his own mud cabin inhaling the vapours of his own quagmire. He naturally exulted in the distress of the Saxon heretics, and flattered himself that they would be destroyed without a blow. He heard with delight the guns pealing all day over the graves of the English officers, till at length the funerals became too numerous to be celebrated with military pomp, and

* Story's Impartial History; Dumont MS. The profaneness and dissoluteness of the camp during the sickness are mentioned in many contemporary pamphlets both in verse and prose. See particularly a Satire entitled Reformation of Manners, part ii.

** Story's Impartial History.

the mournful sounds were succeeded by a silence more mournful still.

The superiority of force was now so decidedly on the side of James that he could safely venture to detach five regiments from his army, and to send them into Connaught. Sarsfield commanded them. He did not, indeed, stand so high as he deserved in the royal estimation. The King, with an air of intellectual superiority which must have made Avaux and Rosen bite their lips, pronounced him a brave fellow, but very scantily supplied with brains. It was not without great difficulty that the Ambassador prevailed on His Majesty to raise the best officer in the Irish army to the rank of Brigadier. Sarsfield now fully vindicated the favourable opinion which his French patrons had formed of him. He dislodged the English from Sligo; and he effectually secured Galway, which had been in considerable danger.*

No attack, however, was made on the English entrenchments before Dundalk. In the midst of difficulties and disasters hourly multiplying, the great qualities of Schomberg appeared hourly more and more conspicuous. Not in the full tide of success, not on the field of Montes Claros, not under the walls of Maestricht, had he so well deserved the admiration of mankind. His resolution never gave way. His prudence never slept. His temper, in spite of manifold vexations and provocations, was always cheerful and serene. The effective men under his command, even if all were reckoned as effective who were not stretched on the earth by fever, did not now exceed five thousand. These were hardly equal to their ordinary duty; and yet it was necessary to harass them with double duty. Nevertheless so masterly were the old man's dispositions that with this small force he faced during several weeks twenty

* Avaux, Oct. ½½. Nov. ½½. 1689; Story's Impartial History; Life of James, ii. 382, 383. Orig. Mem.; Nihell's Journal.

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The English and Irish armies go into winter quarters.

thousand troops who were accompanied by a multitude of armed banditti. At length early in November the Irish dispersed, and went to winter quarters. The Duke then broke up his camp and retired into Ulster. Just as the remains of his army were about to move, a rumour spread that the enemy was approaching in great force. Had this rumour been true, the danger would have been extreme. But the English regiments, though they had been reduced to a third part of their complement, and though the men who were in best health were hardly able to shoulder arms, showed a strange joy and alacrity at the prospect of battle, and swore that the Papists should pay for all the misery of the last month. "We English," Schomberg said, identifying himself goodhumouredly with the people of the country which had adopted him, "we English have stomach enough for fighting. It is a pity that we are not as fond of some other parts of a soldier's business."

The alarm proved false: the Duke s army departed unmolested: but the highway along which he retired presented a piteous and hideous spectacle. A long train of waggons laden with the sick jolted over the rugged pavement. At every jolt some wretched man gave up the ghost. The corpse was flung out and left unburied to the foxes and crows. The whole number of those who died, in the camp at Dundalk, in the hospital at Belfast, on the road, and on the sea, amounted to above six thousand. The survivors were quartered for the winter in the towns and villages of Ulster. The general fixed his head quarters at Lisburn.*

* Story's Impartial History; Schomberg's Despatches; Nihell's Journal, and James's Life; Burnet, ii. 20.; Dangeau's journal during this autumn; the Narrative sent by Avaux to Seignelay, and the Dumont MS. The lying of the London Gazette is monstrous. Through the whole autumn the troops are constantly said to be in good condition. In the absurd drama entitled the Royal Voyage, which was acted for the amusement of the rabble of London in 1689, the Irish are represented as attacking some of the sick

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Various opinions about Schomberg's conduct.

His conduct was variously judged. Wise and candid men said that he had surpassed himself, and that there was no other captain in Europe who, with raw troops, with ignorant officers, with scanty stores, having to contend at once against a hostile army of greatly superior force, against a villanous commissariat, against a nest of traitors in his own camp, and against a disease more murderous than the sword, would have brought the campaign to a close without the loss of a flag or a gun. On the other hand, many of those newly commissioned majors and captains, whose helplessness had increased all his perplexities, and who had not one qualification for their posts except personal courage, grumbled at the skill and patience which had saved them from destruction. Their complaints were echoed on the other side of Saint George's Channel. Some of the murmuring, though unjust, was excusable. The parents, who had sent a gallant lad, in his first uniform, to fight his way to glory, might be pardoned if, when they learned that he had died on a wisp of straw without medical attendance, and had been buried in a swamp without any Christian or military ceremony, their affliction made them hasty and unreasonable. But with the cry of bereaved families was mingled another cry much less respectable. All the hearers and tellers of news abused the general who furnished them with so little news to hear and to tell. For men of that sort are so greedy after excitement that they far more readily forgive a commander who loses a battle than a commander who declines one. The politicians, who delivered their oracles from the thickest cloud of tobacco smoke at Garroway's, confidently asked, without knowing any thing, either of war in general, or of Irish war in particular, why Schomberg did not fight. They could not venture to say that he did not understand his calling. No

English. The English put the assailants to the rout, and then drop down dead.

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doubt he had been an excellent officer: but he was very old. He seemed to bear his years well: but his faculties were not what they had been: his memory was failing; and it was well known that he sometimes forgot in the afternoon what he had done in the morning. It may be doubted whether there ever existed a human being whose mind was quite as firmly toned at eighty as at forty. But that Schomberg's intellectual powers had been little impaired by years is sufficiently proved by his despatches, which are still extant, and which are models of official writing, terse, perspicuous, full of important facts and weighty reasons, compressed into the smallest possible number of words. In those despatches he sometimes alluded, not angrily, but with calm disdain, to the censures thrown upon his conduct by shallow babblers, who, never having seen any military operation more important than the relieving of the guard at Whitehall, imagined that the easiest thing in the world was to gain great victories in any situation and against any odds, and by sturdy patriots who were convinced that one English carter or thresher, who had not yet learned how to load a gun or port a pike, was a match for any five musketeers of King Lewis's household.*

Maritime affairs.

Unsatisfactory as had been the results of the campaign in Ireland, the results of the maritime operations of the year were more unsatisfactory still. It had been confidently expected that, on the sea, England, allied with Holland, would have been far more than a match for the power of Lewis: but every thing went wrong. Herbert had, after the unimportant skirmish of Bantry Bay, returned with his squadron to Portsmouth. There he found that he had not lost the good opinion either of the public or of the government. The House of Commons thanked him for his services; and he received signal marks of the favour of the Crown. He had not been at the

* See his despatches in the appendix to Dalrymple's Memoirs.

coronation, and had therefore missed his share of the rewards which, at the time of that solemnity, had been distributed among the chief agents in the Revolution. The omission was now repaired; and he was created Earl of Torrington. The King went down to Portsmouth, dined on board of the Admiral's flag ship, expressed the fullest confidence in the valour and loyalty of the navy, knighted two gallant captains, Cloudesley Shovel and John Ashby, and ordered a donative to be divided among the seamen.*

Maladministration of Torrington.

We cannot justly blame William for having a high opinion of Torrington. For Torrington was generally regarded as one of the bravest and most skilful officers in the navy. He had been promoted to the rank of Rear Admiral of England by James, who, if he understood any thing, understood maritime affairs. That place and other lucrative places Torrington had relinquished when he found that he could retain them only by submitting to be a tool of the Jesuitical cabal. No man had taken a more active, a more hazardous, or a more useful part in effecting the Revolution. It seemed, therefore, that no man had fairer pretensions to be put at the head of the naval administration. Yet no man could be more unfit for such a post. His morals had always been loose, so loose indeed that the firmness with which in the late reign he had adhered to his religion had excited much surprise. His glorious disgrace indeed seemed to have produced a salutary effect on his character. In poverty and exile he rose from a voluptuary into a hero. But, as soon as prosperity returned, the hero sank again into a voluptuary; and the lapse was deep and hopeless. The nerves of his mind, which had been during a short time braced to a firm tone, were now so much relaxed by vice that he was utterly incapable of selfdenial or of strenuous exertion. The vulgar courage of a foremast man he still retained. But both as Admiral and as

* London Gazette, May 20. 1689.

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First Lord of the Admiralty he was utterly inefficient. Month after month the fleet which should have been the terror of the seas lay in harbour while he was diverting himself in London. The sailors, punning upon his new title, gave him the name of Lord Tarry-in-town. When he came on shipboard he was accompanied by a bevy of courtesans. There was scarcely an hour of the day or of the night when he was not under the influence of claret. Being insatiable of pleasure, he necessarily became insatiable of wealth. Yet he loved flattery almost as much as either wealth or pleasure. He had long been in the habit of exacting the most abject homage from those who were under his command. His flag ship was a little Versailles. He expected his captains to attend him to his cabin when he went to bed, and to assemble every morning at his levee. He even suffered them to dress him. One of them combed his flowing wig; another stood ready with the embroidered coat. Under such a chief there could be no discipline. His tars passed their time in rioting among the rabble of Portsmouth. Those officers who won his favour by servility and adulation easily obtained leave of absence, and spent weeks in London, revelling in taverns, scouring the streets, or making love to the masked ladies in the pit of the theatre. The victuallers soon found out with whom they had to deal, and sent down to the fleet casks of meat which dogs would not touch, and barrels of beer which smelt worse than bilge water. Meanwhile the British Channel seemed to be abandoned to French rovers. Our merchantmen were boarded in sight of the ramparts of Plymouth. The sugar fleet from the West Indies lost seven ships. The whole value of the prizes taken by the cruisers of the enemy in the immediate neighbourhood of our island, while Torrington was engaged with his bottle and his harem, was estimated at six hundred thousand pounds. So difficult was it to obtain the convoy of a man of war, except by giving immense bribes, that our

traders were forced to hire the services of Dutch privateers, and found these foreign mercenaries much more useful and much less greedy than the officers of our own royal navy.*

Continental affairs.

The only department with which no fault could be found was the department of Foreign Affairs. There William was his own minister; and, where he was his own minister, there were no delays, no blunders, no jobs, no treasons. The difficulties with which he had to contend were indeed great. Even at the Hague he had to encounter an opposition which all his wisdom and firmness could, with the strenuous support of Heinsius, scarcely overcome. The English were not aware that, while they were murmuring at their Sovereign's partiality for the land of his birth, a strong party in Holland was murmuring at his partiality for the land of his adoption. The Dutch ambassadors at Westminster complained that the terms of alliance which he proposed were derogatory to the dignity and prejudicial to the interests of the republic; that wherever the honour of the English flag was concerned, he was punctilious and obstinate; that he peremptorily insisted on an article which interdicted all trade with France, and which could not but be grievously felt on the Exchange of Amsterdam; that, when they expressed a hope that the Navigation Act would be repealed, he burst out a laughing, and told them that the thing was not to be thought of. He carried all his points; and a solemn contract was made by which England and the Batavian federation bound themselves to stand firmly by each other against France, and not to make peace except by mutual consent. But one of the Dutch plenipotentiaries declared that he was afraid of being one day held up to obloquy as a traitor for conceding so much; and the

* Commons' Journals, Nov. 13. 23. 1689; Grey's Debates, Nov. 13. 14. 18. 23. 1689. See, among numerous pasquinades, the Parable of the Bearbaiting, Reformation of Manners, a Satire, the Mock Mourners, a Satire. See also Pepys's Diary kept at Tangier, Oct. 15. 1683.

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signature of another plainly appeared to have been traced by a hand shaking with emotion.*

Meanwhile under William's skilful management a treaty of alliance had been concluded between the States General and the Emperor. To that treaty Spain and England gave in their adhesion; and thus the four great powers which had long been bound together by a friendly understanding were bound together by a formal contract.**

But before that formal contract had been signed and sealed, all the contracting parties were in arms. Early in the year 1689 war was raging all over the Continent from the Hæmus to the Pyrenees. France, attacked at once on every side, made on every side a vigorous defence; and her Turkish allies kept a great German force fully employed in Servia and Bulgaria. On the whole, the results of the military operations of the summer were not unfavourable to the confederates. Beyond the Danube, the Christians, under Prince Lewis of Baden, gained a succession of victories over the Mussulmans. In the passes of Roussillon, the French troops contended without any decisive advantage against the martial peasantry of Catalonia. One German army, led by the Elector of Bavaria, occupied the Archbishopric of Cologne. Another was commanded by Charles, Duke of Lorraine, a sovereign who, driven from his own dominions by the arms of France, had turned soldier of fortune, and had, as such, obtained both distinction and revenge. He marched against the devastators of the Palatinate, forced them to retire behind the Rhine, and, after a long siege, took the important and strongly fortified city of Mentz.

* The best account of these negotiations will be found in Wagenaar, lxi. He had access to Witsen's papers, and has quoted largely from them. It was Witsen who signed in violent agitation, "zo als," he says, "myne beevende hand getuigen kan." The treaties will be found in Dumont's Corps Diplomatique. They were signed in August 1689.

** The treaty between the Emperor and the States General is dated May 12. 1689. It will be found in Dumont's Corps Diplomatique.

Between the Sambre and the Meuse the French, commanded by Marshal Humieres, were opposed to the Dutch, commanded by the Prince of Waldeck, an officer who had long served the States General with fidelity and ability, though not always with good fortune, and who stood high in the estimation of William. Under Waldeck's orders was Marlborough, to whom William had confided an English brigade consisting of the best regiments of the old army of James. Second to Marlborough in command, and second also in professional skill, was Thomas Talmash, a brave soldier, destined to a fate never to be mentioned without shame and indignation. Between the army of Waldeck and the army of Humieres no general action took place: but in a succession of combats the advantage was on the side of the confederates. Of these combats the most important took place at Walcourt on the fifth of August. The French attacked an outpost defended by the English brigade, were vigorously repulsed, and were forced to retreat in confusion, abandoning a few field pieces to the conquerors and leaving more than six hundred corpses on the ground. Marlborough, on this as on every similar occasion, acquitted himself like a valiant and skilful captain. The Coldstream Guards commanded by Talmash, and the regiment which is now called the sixteenth of the line, commanded by Colonel Robert Hodges, distinguished themselves highly. The Royal regiment too, which had a few months before set up the standard of rebellion at Ipswich, proved on this day that William, in freely pardoning that great fault, had acted not less wisely than generously. The testimony which Waldeck in his despatch bore to the gallant conduct of the islanders was read with delight by their countrymen. The fight indeed was no more than a skirmish: but it was a sharp and bloody skirmish. There had within living memory been no equally serious encounter between the English and French; and our ancestors were naturally elated

Skirmish at Walcourt.

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by finding that many years of inaction and vassalage did not appear to have enervated the courage of the nation.*

Imputations thrown on Marlborough.

The Jacobites however discovered in the events of the campaign abundant matter for invective. Marlborough was, not without reason, the object of their bitterest hatred. In his behaviour on a field of battle malice itself could find little to censure: but there were other parts of his conduct which presented a fair mark for obloquy. Avarice is rarely the vice of a young man: it is rarely the vice of a great man: but Marlborough was one of the few who have, in the bloom of youth, loved lucre more than wine or women, and who have, at the height of greatness, loved lucre more than power or fame. All the precious gifts which nature had lavished on him he valued chiefly for what they would fetch. At twenty he made money of his beauty and his vigour. At sixty he made money of his genius and his glory. The applauses which were justly due to his conduct at Walcourt could not altogether drown the voices of those who muttered that, wherever a broad piece was to be saved or got, this hero was a mere Euclio, a mere Harpagon; that, though he drew a large allowance under pretence of keeping a public table, he never asked an officer to dinner; that his muster rolls were fraudulently made up; that he pocketed pay in the names of men who had long been dead, of men who had been killed in his own sight four years before at Sedgemoor; that there were twenty such names in one troop; that there were thirty six in another. Nothing but the union of dauntless courage and commanding powers of mind with a bland temper and winning manners could have enabled him to gain and keep, in spite of faults eminently unsoldierlike, the good will of his soldiers.**

* See the despatch of Waldeck in the London Gazette, Aug. 26. 1689; Historical Records of the First Regiment of Foot; Dangeau, Aug. 28.; Monthly Mercury, September 1689.

** See the Dear Bargain, a Jacobite pamphlet clandestinely printed

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About the time at which the contending armies in every part of Europe were going into winter quarters, a new Pontiff ascended the chair of Saint Peter. Innocent the Eleventh was no more. His fate had been strange indeed. His conscientious and fervent attachment to the Church of which he was the head had induced him, at one of the most critical conjunctures in her history, to ally himself with her mortal enemies. The news of his decease was received with concern and alarm by Protestant princes and commonwealths, and with joy and hope at Versailles and Dublin. An extraordinary ambassador of high rank was instantly despatched by Lewis to Rome. The French garrison which had been placed in Avignon was withdrawn. When the votes of the Conclave had been united in favour of Peter Ottobuoni, an ancient Cardinal who assumed the appellation of Alexander the Eighth, the representative of France assisted at the installation, bore up the cope of the new Pontiff, and put into the hands of His Holiness a letter in which the most Christian King declared that he renounced the odious privilege of protecting robbers and assassins. Alexander pressed the letter to his lips, embraced the bearer, and talked with rapture of the near prospect of reconciliation. Lewis began to entertain a hope that the influence of the Vatican might be exerted to dissolve the alliance between the House of Austria and the heretical usurper of the English throne. James was even more sanguine. He was foolish enough to expect that the new Pope would give him money, and ordered Melfort, who had now acquitted himself of his mission at Versailles, to hasten to Rome, and beg His Holiness to contribute something towards the good work of upholding pure religion in the British islands. But it soon appeared that Alexander, though he might

Pope Innocent XI. succeeded by Alexander VIII.

In 1690. "I have not patience," says the writer, "after this wretch (Marlborough) to mention any other. All are innocent comparatively, even Kirke himself."

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hold language different from that of his predecessor, was determined to follow in essentials his predecessor's policy. The original cause of the quarrel between the Holy See and Lewis was not removed. The King continued to appoint prelates: the Pope continued to refuse them institution: and the consequence was that a fourth part of the dioceses of France had bishops who were incapable of performing any episcopal function.*

The High Church clergy divided on the subject of the oaths.

The Anglican Church was, at this time, not less distracted than the Gallican Church. The first of August had been fixed by Act of Parliament as the day before the close of which all beneficed clergymen and all persons holding academical offices must, on pain of suspension, swear allegiance to William and Mary. During the earlier part of the summer, the Jacobites hoped that the number of nonjurors would be so considerable as seriously to alarm and embarrass the Government. But this hope was disappointed. Few indeed of the clergy were Whigs. Few were Tories of that moderate school which acknowledged, reluctantly and with reserve, that extreme abuses might sometimes justify a nation in resorting to extreme remedies. The great majority of the profession still held the doctrine of passive obedience: but that majority was now divided into two sections. A question, which, before the Revolution, had been mere matter of speculation, and had therefore, though sometimes incidentally raised, been, by most persons, very superficially considered, had now become practically most important. The doctrine of passive obedience being taken for granted, to whom was that obedience due? While the hereditary right and the possession were conjoined, there was no room for doubt: but

* See the Mercuries for September 1689, and the four following months. See also Welwood's Mercurius Reformatus of Sept. 18. Sept. 25. and Oct. 8. 1689. Melfort's Instructions, and his memorials to the Pope and the Cardinal of Este, are among the Nairne Papers; and some extracts have been printed by Macpherson.

the hereditary right and the possession were now separated. One prince, raised by the Revolution, was reigning at Westminster, passing laws, appointing magistrates and prelates, sending forth armies and fleets. His Judges decided causes. His Sheriffs arrested debtors and executed criminals. Justice, order, property, would cease to exist, and society would be resolved into chaos, but for his Great Seal. Another prince, deposed by the Revolution, was living abroad. He could exercise none of the powers and perform none of the duties of a ruler, and could, as it seemed, be restored only by means as violent as those by which he had been displaced. To which of these two princes did Christian men owe allegiance?

Arguments for taking the oaths.

To a large part of the clergy it appeared that the plain letter of Scripture required them to submit to the Sovereign who was in possession, without troubling themselves about his title. The powers which the Apostle, in the text most familiar to the Anglican divines of that age, pronounces to be ordained of God, are not the powers that can be traced back to a legitimate origin, but the powers that be. When Jesus was asked whether the chosen people might lawfully give tribute to Cæsar, he replied by asking the questioners, not whether Cæsar could make out a pedigree derived from the old royal house of Judah, but whether the coin which they scrupled to pay into Cæsar's treasury came from Cæsar's mint, in other words, whether Cæsar actually possessed the authority and performed the functions of a ruler.

It is generally held, with much appearance of reason, that the most trustworthy comment on the text of the Gospels and Epistles is to be found in the practice of the primitive Christians, when that practice can be satisfactorily ascertained; and it so happened that the times during which the Church is universally acknowledged to have been in the highest state of purity were times of frequent and violent political change. One at least

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of the Apostles appears to have lived to see four Emperors pulled down in little more than a year. Of the martyrs of the third century a great proportion must have been able to remember ten or twelve revolutions. Those martyrs must have had occasion often to consider what was their duty towards a prince just raised to power by a successful insurrection. That they were, one and all, deterred by the fear of punishment from doing what they thought right, is an imputation which no candid infidel would throw on them. Yet, if there be any proposition which can with perfect confidence be affirmed touching the early Christians, it is this, that they never once refused obedience to any actual ruler on account of the illegitimacy of his title. At one time, indeed, the supreme power was claimed by twenty or thirty competitors. Every province from Britain to Egypt had its own Augustus. All these pretenders could not be rightful Emperors. Yet it does not appear that, in any place, the faithful had any scruple about submitting to the person who, in that place, exercised the imperial functions. While the Christian of Rome obeyed Aurelian, the Christian of Lyons obeyed Tetricus, and the Christian of Palmyra obeyed Zenobia. "Day and night," —such were the words which the great Cyprian, Bishop of Carthage, addressed to the representative of Valerian and Gallienus, — "day and night do we Christians pray to the one true God for the safety of our Emperors." Yet those Emperors had a few months before pulled down their predecessor Æmilianus, who had pulled down his predecessor Gallus, who had climbed to power on the ruins of the house of his predecessor Decius, who had slain his predecessor Philip, who had slain his predecessor Gordian. Was it possible to believe that a saint, who had, in the short space of thirteen or fourteen years, borne true allegiance to this series of rebels and regicides, would have made a schism in the Christian body rather than acknowledge King William and Queen Mary? A hundred times those

Anglican divines who had taken the oaths challenged their more scrupulous brethren to cite a single instance in which the primitive Church had refused obedience to a successful usurper; and a hundred times the challenge was evaded. The nonjurors had little to say on this head, except that precedents were of no force when opposed to principles, a proposition which came with but a bad grace from a school which had always professed an almost superstitious reverence for the authority of the Fathers.*

To precedents drawn from later and more corrupt times little respect was due. But, even in the history of later and more corrupt times, the nonjurors could not easily find any precedent that would serve their purpose. In our own country many Kings, who had not the hereditary right, had filled the throne: but it had never been thought inconsistent with the duty of a Christian to be a true liegeman to such Kings. The usurpation of Henry the Fourth, the more odious usurpation of Richard the Third, had produced no schism in the Church. As soon as the usurper was firm in his seat, Bishops had done homage to him for their domains: Convocations had presented addresses to him, and granted him supplies; nor had any casuist ever

* See the Answer of a Nonjuror to the Bishop of Sarum's challenge in the Appendix to the Life of Kettlewell. Among the Tanner MSS. in the Bodleian Library is a paper which, as Sancroft thought it worth preserving, I venture to quote. The writer, a strong nonjuror, after trying to evade, by many pitiable shifts, the argument drawn by a more compliant divine from the practice of the primitive Church, proceeds thus: "Suppose the primitive Christians all along, from the time of the very Apostles, had been as regardless of their oaths by former princes as he suggests, will he therefore say that their practice is to be a rule? Ill things have been done, and very generally abetted, by men of otherwise very orthodox principles." The argument from the practice of the primitive Christians is remarkably well put in a tract entitled The Doctrine of Nonresistance or Passive Obedience No Way concerned in the Controversies now depending between the Williamites and the Jacobites, by a Lay Gentleman, of the Communion of the Church of England, as by Law establish'd, 1689.

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pronounced that such submission to a prince in possession was deadly sin.*

With the practice of the whole Christian world the authoritative teaching of the Church of England appeared to be in strict harmony. The Homily on Wilful Rebellion, a discourse which inculcates, in unmeasured terms, the duty of obeying rulers, speaks of none but actual rulers. Nay, the people are distinctly told in that Homily that they are bound to obey, not only their legitimate prince, but any usurper whom God shall in anger set over them for their sins. And surely it would be the height of absurdity to say that we must accept submissively such usurpers as God sends in anger, but must pertinaciously withhold our obedience from usurpers whom He sends in mercy. Grant that it was a crime to invite the Prince of Orange over, a crime to join him, a crime to make him King; yet what was the whole history of the Jewish nation and of the Christian Church but a record of cases in which Providence had brought good out of evil? And what theologian would assert that, in such cases, we ought, from abhorrence of the evil, to reject the good?

On these grounds a large body of divines, still asserting the doctrine that to resist the Sovereign must always be sinful, conceived that William was now the Sovereign whom it would be sinful to resist.

Arguments against taking the oaths.

To these arguments the nonjurors replied that Saint Paul must have meant by the powers that be the rightful powers that

* One of the most adulatory addresses ever voted by a Convocation was to Richard the Third. It will be found in Wilkins's Concilia. Dryden, in his fine *rifacimento* of one of the finest passages in the Prologue to the Canterbury Tales, represents the Good Parson as choosing to resign his benefice rather than acknowledge the Duke of Lancaster to be King of England. For this representation no warrant can be found in Chaucer's Poem, or any where else. Dryden wished to write something that would gall the clergy who had taken the oaths, and therefore attributed to a Roman Catholic priest of the fourteenth century a superstition which originated among the Anglican priests of the seventeenth century.

be; and that to put any other interpretation on his words would be to outrage common sense, to dishonour religion, to give scandal to weak believers, to give an occasion of triumph to scoffers. The feelings of all mankind must be shocked by the proposition that, as soon as a King, however clear his title, however wise and good his administration, is expelled by traitors, all his servants are bound to abandon him, and to range themselves on the side of his enemies. In all ages and nations, fidelity to a good cause in adversity had been regarded as a virtue. In all ages and nations, the politician whose practice was always to be on the side which was uppermost had been despised. This new Toryism was worse than Whiggism. To break through the ties of allegiance because the Sovereign was a tyrant was doubtless a very great sin: but it was a sin for which specious names and pretexts might be found, and into which a brave and generous man, not instructed in divine truth and guarded by divine grace, might easily fall. But to break through the ties of allegiance, merely because the Sovereign was unfortunate, was not only wicked, but dirty. Could any unbeliever offer a greater insult to the Scriptures than by asserting that the Scriptures had enjoined on Christians as a sacred duty what the light of nature had taught heathens to regard as the last excess of baseness? In the Scriptures was to be found the history of a King of Israel, driven from his palace by an unnatural son, and compelled to fly beyond Jordan. David, like James, had the right: Absalom, like William, had the possession. Would any student of the sacred writings dare to affirm that the conduct of Shimei on that occasion was proposed as a pattern to be imitated, and that Barzillai, who loyally adhered to his fugitive master, was resisting the ordinance of God, and receiving to himself damnation? Would any true son of the Church of England seriously affirm that a man who was a strenuous royalist till after the battle of Naseby, who then went over to

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the Parliament, who, as soon as the Parliament had been purged, became an obsequious servant of the Rump, and who, as soon as the Rump had been ejected, professed himself a faithful subject of the Protector, was more deserving of the respect of Christian men than the stout old Cavalier who bore true fealty to Charles the First in prison and to Charles the Second in exile, and who was ready to put lands, liberty, life, in peril, rather than acknowledge, by word or act, the authority of any of the upstart governments which, during that evil time, obtained possession of a power not legitimately theirs? And what distinction was there between that case and the case which had now arisen? That Cromwell had actually enjoyed as much power as William, nay much more power than William, was quite certain. That the power of William, as well as the power of Cromwell, had an illegitimate origin, no divine who held the doctrine of nonresistance would dispute. How then was it possible for such a divine to deny that obedience had been due to Cromwell, and yet to affirm that it was due to William? To suppose that there could be such inconsistency without dishonesty would be not charity but weakness. Those who were determined to comply with the Act of Parliament would do better to speak out, and to say, what every body knew, that they complied simply to save their benefices. The motive was no doubt strong. That a clergyman who was a husband and a father should look forward with dread to the first of August and the first of February was natural. But he would do well to remember that, however terrible might be the day of suspension and the day of deprivation, there would assuredly come two other days more terrible still, the day of death and the day of judgment.*

* See the defence of the profession which the Right Reverend Father in God John Lake, Lord Bishop of Chichester, made upon his deathbed concerning passive obedience and the new oaths. 1690.

The swearing clergy, as they were called, were not a little perplexed by this reasoning. Nothing embarrassed them more than the analogy which the nonjurors were never weary of pointing out between the usurpation of Cromwell and the usurpation of William. For there was in that age no High Churchman who would not have thought himself reduced to an absurdity if he had been reduced to the necessity of saying that the Church had commanded her sons to obey Cromwell. And yet it was impossible to prove that William was more fully in possession of supreme power than Cromwell had been. The swearers therefore avoided coming to close quarters with the nonjurors on this point as carefully as the nonjurors avoided coming to close quarters with the swearers on the question touching the practice of the primitive Church.

The truth is that the theory of government which had long been taught by the clergy was so absurd that it could lead to nothing but absurdity. Whether the priest who adhered to that theory swore or refused to swear, he was alike unable to give a rational explanation of his conduct. If he swore, he could vindicate his swearing only by laying down propositions against which every honest heart instinctively revolts, only by proclaiming that Christ had commanded the Church to desert the righteous cause as soon as that cause ceased to prosper, and to strengthen the hands of successful villany against afflicted virtue. And yet, strong as were the objections to this doctrine, the objections to the doctrine of the nonjuror were, if possible, stronger still. According to him, a Christian nation ought always to be in a state of slavery or in a state of anarchy. Something is to be said for the man who sacrifices liberty to preserve order. Something is to be said for the man who sacrifices order to preserve liberty. For liberty and order are two of the greatest blessings which a society can enjoy: and, when unfortunately they appear to be incompatible, much indulgence

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is due to those who take either side. But the nonjuror sacrificed, not liberty to order, not order to liberty, but both liberty and order to a superstition as stupid and degrading as the Egyptian worship of cats and onions. While a particular person, differing from other persons by the mere accident of birth, was on the throne, though he might be a Nero, there was to be no insubordination. When any other person was on the throne, though he might be an Alfred, there was to be no obedience. It mattered not how frantic and wicked might be the administration of the dynasty which had the hereditary title, or how wise and virtuous might be the administration of a government sprung from a revolution. Nor could any time of limitation be pleaded against the claim of the expelled family. The lapse of years, the lapse of ages, made no change. To the end of the world, Christians were to regulate their political conduct simply according to the genealogy of their ruler. The year 1800, the year 1900, might find princes who derived their title from the votes of the Convention reigning in peace and prosperity. No matter: they would still be usurpers; and, if, in the twentieth or twenty first century, any person who could make out a better right by blood to the crown should call on a late posterity to acknowledge him as King, the call must be obeyed on peril of eternal perdition.

A Whig might well enjoy the thought that the controversies which had arisen among his adversaries had established the soundness of his own political creed. The disputants who had long agreed in accusing him of an impious error had now effectually vindicated him, and refuted one another. The High Churchman who took the oaths had shown by irrefragable arguments from the Gospels and the Epistles, from the uniform practice of the primitive Church, and from the explicit declarations of the Anglican Church, that Christians were not in all cases bound to pay obedience to the prince who had the

hereditary title. The High Churchman who would not take the oaths had shown as satisfactorily that Christians were not in all cases bound to pay obedience to the prince who was actually reigning. It followed that, to entitle a government to the allegiance of subjects, something was necessary different from mere legitimacy, and different also from mere possession. What that something was the Whigs had no difficulty in pronouncing. In their view, the end for which all governments had been instituted was the happiness of society. While the magistrate was, on the whole, notwithstanding some faults, a minister for good, Reason taught mankind to obey him; and Religion, giving her solemn sanction to the teaching of Reason, commanded mankind to revere him as divinely commissioned. But if he proved to be a minister for evil, on what grounds was he to be considered as divinely commissioned? The Tories who swore had proved that he ought not to be so considered on account of the origin of his power: the Tories who would not swear had proved as clearly that he ought not to be so considered on account of the existence of his power.

Some violent and acrimonious Whigs triumphed ostentatiously and with merciless insolence over the perplexed and divided priesthood. The nonjuror they generally affected to regard with contemptuous pity as a dull and perverse, but sincere, bigot, whose absurd practice was in harmony with his absurd theory, and who might plead, in excuse for the infatuation which impelled him to ruin his country, that the same infatuation had impelled him to ruin himself. They reserved their sharpest taunts for those divines who, having, in the days of the Exclusion Bill and the Rye House Plot, been distinguished by zeal for the divine and indefeasible right of the hereditary Sovereign, were now ready to swear fealty to an usurper. Was this then the real sense of all those sublime phrases which had resounded during twenty nine years from in-

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numerable pulpits? Had the thousands of clergymen, who had so loudly boasted of the unchangeable loyalty of their order, really meant only that their loyalty would remain unchangeable till the next change of fortune? It was idle, it was impudent in them to pretend that their present conduct was consistent with their former language. If any Reverend Doctor had at length been convinced that he had been in the wrong, he surely ought, by an open recantation, to make all the amends now possible to the persecuted, the calumniated, the murdered defenders of liberty. If he was still convinced that his old opinions were sound, he ought manfully to cast in his lot with the nonjurors. Respect, it was said, is due to him who ingenuously confesses an error; respect is due to him who courageously suffers for an error; but it is difficult to respect a minister of religion who, while asserting that he still adheres to the principles of the Tories, saves his benefice by taking an oath which can be honestly taken only on the principles of the Whigs.

These reproaches, though perhaps not altogether unjust, were unseasonable. The wiser and more moderate Whigs, sensible that the throne of William could not stand firm if it had not a wider basis than their own party, abstained at this conjuncture from sneers and invectives, and exerted themselves to remove the scruples and to soothe the irritated feelings of the clergy. The collective power of the rectors and vicars of England was immense: and it was much better that they should swear for the most flimsy reason that could be devised by a sophist than they should not swear at all.

A great majority of the clergy take the oaths.

It soon became clear that the arguments for swearing, backed as they were by some of the strongest motives which can influence the human mind, had prevailed. Above twenty nine thirtieths of the profession submitted to the law. Most of the divines of the capital, who then formed a separate class,

and who were as much distinguished from the rural clergy by liberality of sentiment as by eloquence and learning, gave in their adhesion to the government early, and with every sign of cordial attachment. Eighty of them repaired together, in full term, to Westminster Hall, and were there sworn. The ceremony occupied so long a time that little else was done that day in the Courts of Chancery and King's Bench.* But in general the compliance was tardy, sad and sullen. Many, no doubt, deliberately sacrificed principle to interest. Conscience told them that they were committing a sin. But they had not fortitude to resign the parsonage, the garden, the glebe, and to go forth without knowing where to find a meal or a roof for themselves and their little ones. Many swore with doubts and misgivings.** Some declared, at the moment of taking the oath, that they did not mean to promise that they would not submit to James, if he should ever be in a condition to demand their allegiance.*** Some clergymen in the north were, on the first of August, going in a company to swear, when they were met on the road by the news of the battle which had been fought, four days before, in the pass of Killiecrankie. They immediately turned back, and did not again leave their homes on the same errand till it was clear that Dundee's victory had made no change in the state of public affairs.† Even of those whose understandings were fully convinced that obedience was due to the existing government, very few kissed the book with the heartiness with which they had formerly plighted their faith to Charles and James. Still the thing was done. Ten thousand

* London Gazette, June 30. 1689; Narcissus Luttrell's Diary. "The eminentest men," says Luttrell.

** See in Kettlewell's Life, iii 72., the retractation drawn by him for a clergyman who had taken the oaths, and who afterwards repented of having done so.

*** See the account of Dr. Dove's conduct in Clarendon's Diary, and the account of Dr. Marsh's conduct in the Life of Kettlewell.

† The Anatomy of a Jacobite Tory, 1690.

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clergymen had solemnly called heaven to attest their promise that they would be true liegemen to William; and this promise, though it by no means warranted him in expecting that they would strenuously support him, had at least deprived them of a great part of their power to injure him. They could not, without entirely forfeiting that public respect on which their influence depended, attack, except in an indirect and timidly cautious manner, the throne of one whom they had, in the presence of God, vowed to obey as their King. Some of them, it is true, affected to read the prayers for the new Sovereigns in a peculiar tone which could not be misunderstood.* Others were guilty of still grosser indecency. Thus, one wretch, just after praying for William and Mary in the most solemn office of religion, took off a glass to their damnation. Another, after performing divine service on a fast day appointed by their authority, dined on a pigeon pie, and while he cut it up, uttered a wish that it was the usurper's heart. But such audacious wickedness was doubtless rare and was rather injurious to the Church than to the government.**

The non-jurors.

Those clergymen and members of the Universities who incurred the penalties of the law were about four hundred in number. Foremost in rank stood the Primate and six of his suffragans, Turner of Ely, Lloyd of Norwich, Frampton of Gloucester, Lake of Chichester, White of Peterborough, and Ken of Bath and Wells. Thomas of Worcester would have made a seventh: but he died three weeks before the day of suspension. On his deathbed he adjured his clergy to be true to the cause of hereditary right, and declared that those divines who tried to make out that the oaths might be taken without any departure from the loyal doctrines of the Church of England seemed to him to reason more Jesuitically than the Jesuits themselves.***

* Dialogue between a Whig and a Tory.
** Narcissus Luttrell's Diary, Nov. 1691, Feb. 1692.
*** Life of Kettlewell, iii. 4.

Ken, who, both in intellectual and in moral qualities, ranked highest among the nonjuring prelates, hesitated long. There were few clergymen who could have submitted to the new government with a better grace. For, in the times when non-resistance and passive obedience were the favourite themes of his brethren, he had scarcely ever alluded to politics in the pulpit. He owned that the arguments in favour of swearing were very strong. He went indeed so far as to say that his scruples would be completely removed if he could be convinced that James had entered into engagements for ceding Ireland to the French King. It is evident therefore that the difference between Ken and the Whigs was not a difference of principle. He thought, with them, that misgovernment, carried to a certain point, justified a transfer of allegiance, and doubted only whether the misgovernment of James had been carried quite to that point. Nay, the good Bishop actually began to prepare a pastoral letter explaining his reasons for taking the oaths. But, before it was finished, he received information which convinced him that Ireland had not been made over to France: doubts came thick upon him: he threw his unfinished letter into the fire, and implored his less scrupulous friends not to urge him further. He was sure, he said, that they had acted uprightly: he was glad that they could do with a clear conscience what he shrank from doing: he felt the force of their reasoning: he was all but persuaded; and he was afraid to listen longer lest he should be quite persuaded: for, if he should comply, and his misgivings should afterwards return, he should be the most miserable of men. Not for wealth, not for a palace, not for a peerage, would he run the smallest risk of ever feeling the torments of remorse. It is a curious fact that, of the seven nonjuring prelates, the only one whose name carries with it much weight was on the point of swearing, and was prevented from doing so, as he himself acknowledged, not by the force of rea-

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son, but by a morbid scrupulosity which he did not advise others to imitate.*

Among the priests who refused the oaths were some men eminent in the learned world, as grammarians, chronologists, canonists, and antiquaries, and a very few who were distinguished by wit and eloquence: but scarcely one can be named who was qualified to discuss any large question of morals or politics, scarcely one whose writings do not indicate either extreme feebleness or extreme flightiness of mind. Those who distrust the judgment of a Whig on this point will probably allow some weight to the opinion which was expressed, many years after the Revolution, by a philosopher of whom the Tories are justly proud. Johnson, after passing in review the celebrated divines who had thought it sinful to swear allegiance to William the Third and George the First, pronounced that, in

* See Turner's Letter to Sancroft, dated on Ascension Day, 1689. The original is among the Tanner MSS. in the Bodleian Library. But the letter will be found with much other curious matter in the Life of Ken by a Layman, lately published. See also the Life of Kettlewell, iii. 95.; and Ken's letter to Burnet, dated Oct. 5. 1689, in Hawkins's Life of Ken. "I am sure," Lady Russell wrote to Dr. Fitzwilliam, "the Bishop of Bath and Wells excited others to comply, when he could not bring himself to do so, but rejoiced when others did." Ken declared that he had advised nobody to take the oaths, and that his practice had been to remit those who asked his advice to their own studies and prayers. Lady Russell's assertion and Ken's denial will be found to come nearly to the same thing, when we make those allowances which ought to be made for situation and feeling, even in weighing the testimony of the most veracious witnesses. Ken, having at last determined to cast in his lot with the nonjurors, naturally tried to vindicate his consistency as far as he honestly could. Lady Russell, wishing to induce her friend to take the oaths, naturally made as much of Ken's disposition to compliance as she honestly could. She went too far in using the word "excited." On the other hand, it is clear that Ken, by remitting those who consulted him to their own studies and prayers, gave them to understand that, in his opinion, the oath was lawful to those who, after a serious inquiry, thought it lawful. If people had asked him whether they might lawfully commit perjury or adultery, he would assuredly have told them, not to consider the point maturely and to implore the divine direction, but to abstain on peril of their souls.

the whole body of nonjurors, there was one, and one only, who could reason.*

The nonjuror in whose favour Johnson made this exception was Charles Leslie. Leslie had, before the Revolution, been Chancellor of the diocese of Connor in Ireland. He had been forward in opposition to Tyrconnel; had, as a justice of the peace for Monaghan, refused to acknowledge a papist as Sheriff of that county; and had been so courageous as to send some officers of the Irish army to prison for marauding. But the doctrine of nonresistance, such as it had been taught by Anglican divines in the days of the Rye House Plot, was immovably fixed in his mind. When the state of Ulster became such that a Protestant who remained there could hardly avoid being either a rebel or a martyr, Leslie fled to London. His abilities and his connections were such that he might easily have obtained high preferment in the Church of England. But he took his place in the front rank of the Jacobite body, and remained there stedfastly, through all the dangers and vicissitudes of three and thirty troubled years. Though constantly engaged in theological controversy with Deists, Jews, Socinians, Presbyterians,

Leslie.

* See the conversation of June 9. 1784, in Boswell's Life of Johnson, and the note. Boswell, with his usual absurdity, is sure that Johnson could not have recollected "that the seven bishops, so justly celebrated for their magnanimous resistance to arbitrary power, were yet nonjurors." Only five of the seven were nonjurors; and anybody but Boswell would have known that a man may resist arbitrary power, and yet not be a good reasoner. Nay, the resistance which Sancroft and the other nonjuring bishops offered to arbitrary power, while they continued to hold the doctrine of nonresistance, is the most decisive proof that they were incapable of reasoning. It must be remembered that they were prepared to take the whole kingly power from James and to bestow it on William, with the title of Regent. Their scruple was merely about the word King.

I am surprised that Johnson should have pronounced William Law no reasoner. Law did indeed fall into great errors; but they were errors against which logic affords no security. In mere dialectical skill he had very few superiors. That he was more than once victorious over Hoadley no candid Whig will deny. But Law did not belong to the generation with which I have now to do.

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Papists, and Quakers, he found time to be one of the most voluminous political writers of his age. Of all the nonjuring clergy he was the best qualified to discuss constitutional questions. For, before he had taken orders, he had resided long in the Temple, and had been studying English history and law, while most of the other chiefs of the schism had been poring over the Acts of Chalcedon, or seeking for wisdom in the Targum of Onkelos.*

Sherlock.

In 1689, however, Leslie was almost unknown in England. Among the divines who incurred suspension on the first of August in that year, the highest in popular estimation was without dispute Doctor William Sherlock. Perhaps no simple presbyter of the Church of England has ever possessed a greater authority over his brethren than belonged to Sherlock at the time of the Revolution. He was not of the first rank among his contemporaries as a scholar, as a preacher, as a writer on theology, or as a writer on politics: but in all the four characters he had distinguished himself. The perspicuity and liveliness of his style have been praised by Prior and Addison. The facility and assiduity with which he wrote are sufficiently proved by the bulk and the dates of his works. There were indeed among the clergy men of brighter genius and men of wider attainments: but during a long period there was none who more completely represented the order, none who, on all subjects, spoke more precisely the sense of the Anglican priesthood, without any taint of Latitudinarianism, of Puritanism, or of Popery. He had, in the days of the Exclusion Bill, when the power of the dissenters was very great in Parliament and in the country, written strongly against the sin of nonconformity. When the Rye House Plot was detected, he had zealously defended by tongue and pen the doctrine of nonresistance. His services to the cause of episcopacy and monarchy were so highly

* Ware's History of the Writers of Ireland, continued by Harris.

valued that he was made master of the Temple. A pension was also bestowed on him by Charles: but that pension James soon took away; for Sherlock, though he held himself bound to pay passive obedience to the civil power, held himself equally bound to combat religious errors, and was the keenest and most laborious of that host of controversialists who, in the day of peril, manfully defended the Protestant faith. In little more than two years he published sixteen treatises, some of them large books, against the high pretensions of Rome. Not content with the easy victories which he gained over such feeble antagonists as those who were quartered at Clerkenwell and the Savoy, he had the courage to measure his strength with no less a champion than Bossuet, and came out of the conflict without discredit. Nevertheless Sherlock still continued to maintain that no oppression could justify Christians in resisting the kingly authority. When the Convention was about to meet, he strongly recommended, in a tract which was considered as the manifesto of a large part of the clergy, that James should be invited to return on such conditions as might secure the laws and religion of the nation.* The vote which placed William and Mary on the throne filled Sherlock with sorrow and anger. He is said to have exclaimed that if the Convention was determined on a revolution, the clergy would find forty thousand good Churchmen to effect a restoration.** Against the new oaths he gave his opinion plainly and warmly. He declared himself at a loss to understand how any honest man could doubt that, by the powers that be, Saint Paul meant legitimate powers and no others. No name was in 1689 cited by the Jacobites so proudly and fondly as that of Sherlock. Before the end of 1690 that name excited very different feelings.

* Letter to a member of the Convention, 1689.

** Johnson's Notes on the Phœnix Edition of Burnet's Pastoral Letter, 1692.

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Hickes.

A few other nonjurors ought to be particularly noticed. High among them in rank was George Hickes, Dean of Worcester. Of all the Englishmen of his time he was the most versed in the old Teutonic languages; and his knowledge of the early Christian literature was extensive. As to his capacity for political discussions, it may be sufficient to say that his favourite argument for passive obedience was drawn from the story of the Theban legion. He was the younger brother of that unfortunate John Hickes who had been found hidden in the malthouse of Alice Lisle. James had, in spite of all solicitation, put both John Hickes and Alice Lisle to death. Persons who did not know the strength of the Dean's principles thought that he might possibly feel some resentment on this account: for he was of no gentle or forgiving temper, and could retain during many years a bitter remembrance of small injuries. But he was strong in his religious and political faith: he reflected that the sufferers were dissenters; and he submitted to the will of the Lord's Anointed not only with patience but with complacency. He became indeed a more loving subject than ever from the time when his brother was hanged and his brother's benefactress beheaded. While almost all other clergymen, appalled by the Declaration of Indulgence and by the proceedings of the High Commission, were beginning to think that they had pushed the doctrine of nonresistance a little too far, he was writing a vindication of his darling legend, and trying to convince the troops at Hounslow that, if James should be pleased to massacre them all, as Maximian had massacred the Theban legion, for refusing to commit idolatry, it would be their duty to pile their arms, and meekly to receive the crown of martyrdom. To do Hickes justice, his whole conduct after the Revolution proved that his servility had sprung neither from fear nor from cupidity, but from mere bigotry.*

* The best notion of Hickes's character will be formed from his

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Jeremy Collier, who was turned out of the preachership of the Rolls, was a man of a much higher order. He is well entitled to grateful and respectful mention: for to his eloquence and courage is to be chiefly ascribed the purification of our lighter literature from that foul taint which had been contracted during the Antipuritan reaction. He was, in the full force of the words, a good man. He was also a man of eminent abilities, a great master of sarcasm, a great master of rhetoric.* His reading too, though undigested, was of immense extent. But his mind was narrow: his reasoning, even when he was so fortunate as to have a good cause to defend, was singularly futile and inconclusive; and his brain was almost turned by pride, not personal, but professional. In his view, a priest was the highest of human beings, except a bishop. Reverence and submission were due from the best and greatest of the laity to the least respectable of the clergy. However ridiculous a man in holy orders might make himself, it was impiety to laugh at him. So nervously sensitive indeed was Collier on this point that he thought it profane to throw any reflection even on the ministers of false religions. He laid it down as a rule that Muftis and Augurs ought always to be mentioned with respect. He blamed Dryden for sneering at the Hierophants of Apis. He praised Racine for giving dignity to the character of a priest of Baal. He praised Corneille for not bringing that learned and reverend divine Tiresias on the stage in the tragedy of Œdipus. The omission, Collier owned, spoiled the dramatic effect of the

Collier.

numerous controversial writings, particularly his Jovian, written in 1684, his Thebæan Legion no Fable, written in 1687, though not published till 1714, and his discourses upon Dr. Burnet and Dr. Tillotson, 1695. His literary fame rests on works of a very different kind.

* Collier's Tracts on the Stage are, on the whole, his best pieces. But there is much that is striking in his political pamphlets. His "Persuasive to Consideration, tendered to the Royalists, particularly those of the Church of England," seems to me one of the best productions of the Jacobite press.

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piece: but the holy function was much too solemn to be played with. Nay, incredible as it may seem, he thought it improper in the laity to sneer at Presbyterian preachers. Indeed his Jacobitism was little more than one of the forms in which his zeal for the dignity of his profession manifested itself. He abhorred the Revolution less as a rising up of subjects against their King than as a rising up of the laity against the sacerdotal caste. The doctrines which had been proclaimed from the pulpit during thirty years had been treated with contempt by the Convention. A new government had been set up in opposition to the wishes of the spiritual peers in the House of Lords and of the priesthood throughout the country. A secular assembly had taken upon itself to pass a law requiring archbishops and bishops, rectors and vicars, to abjure, on pain of deprivation, what they had been teaching all their lives. Whatever meaner spirits might do, Collier was determined not to be led in triumph by the victorious enemies of his order. To the last he would confront, with the authoritative port of an ambassador of heaven, the anger of the powers and principalities of the earth.

Dodwell.

In parts Collier was the first man among the nonjurors. In erudition the first place must be assigned to Henry Dodwell, who, for the unpardonable crime of having a small estate in Mayo, had been attainted by the Popish Parliament at Dublin. He was Camdenian Professor of Ancient History in the University of Oxford, and had already acquired considerable celebrity by chronological and geographical researches: but, though he never could be persuaded to take orders, theology was his favourite study. He was doubtless a pious and sincere man. He had perused innumerable volumes in various languages, and had indeed acquired more learning than his slender faculties were able to bear. The small intellectual spark which he possessed was put out by the fuel. Some of his books seem to have been written in a madhouse, and, though filled with proofs of

his immense reading, degrade him to the level of James Naylor and Ludowick Muggleton. He began a dissertation intended to prove that the law of nations was a divine revelation made to the family which was preserved in the ark. He published a treatise in which he maintained that a marriage between a member of the Church of England and a dissenter was a nullity, and that the couple were, in the sight of heaven, guilty of adultery. He defended the use of instrumental music in public worship on the ground that the notes of the organ had a power to counteract the influence of devils on the spinal marrow of human beings. In his treatise on this subject, he remarked that there was high authority for the opinion that the spinal marrow, when decomposed, became a serpent. Whether this opinion were or were not correct, he thought it unnecessary to decide. Perhaps, he said, the eminent men in whose works it was found had meant only to express figuratively the great truth, that the Old Serpent operates on us chiefly through the spinal marrow.* Dodwell's speculations on the state of human beings after death are, if possible, more extraordinary still. He tells us that our souls are naturally mortal. Annihilation is the fate of the greater part of mankind, of heathens, of Mahometans, of unchristened babes. The gift of immortality is conveyed in the sacrament of baptism: but to the efficacy of the sacrament it is absolutely necessary that the water be poured and the words pronounced by a priest who has been ordained by a bishop. In the natural course of things, therefore, all Presbyterians, Independents, Baptists, and Quakers would, like

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* See Brokesby's Life of Dodwell. The Discourse against Marriages in different Communions is known to me, I ought to say, only from Brokesby's copious abstract. That Discourse is very rare. It was originally printed as a preface to a sermon preached by Leslie. When Leslie collected his works he omitted the discourse, probably because he was ashamed of it. The Treatise on the Lawfulness of Instrumental Music I have read; and incredibly absurd it is.

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the inferior animals, cease to exist. But Dodwell was far too good a churchman to let off dissenters so easily. He informs them that, as they have had an opportunity of hearing the gospel preached, and might, but for their own perverseness, have received episcopalian baptism, God will, by an extraordinary act of power, bestow immortality on them in order that they may be tormented for ever and ever.*

No man abhorred the growing latitudinarianism of those times more than Dodwell. Yet no man had more reason to rejoice in it. For, in the earlier part of the seventeenth century, a speculator who had dared to affirm that the human soul is by its nature mortal, and does, in the great majority of cases, actually die with the body, would have been burned alive in Smithfield. Even in days which Dodwell could well remember, such heretics as himself would have been thought fortunate if they escaped with life, their backs flayed, their ears clipped, their noses slit, their tongues bored through with red hot iron, and their eyes knocked out with brickbats. With the nonjurors, however, the author of this theory was still the great Mr. Dodwell; and some, who thought it culpable lenity to tolerate a Presbyterian meeting, thought it at the same time gross illiberality to blame a learned and pious Jacobite for denying a doctrine so utterly unimportant in a religious point of view as that of the immortality of the soul.**

* Dodwell tells us that the title of the work in which he first promulgated this theory was framed with great care and precision. I will therefore transcribe the titlepage. "An Epistolary Discourse proving from Scripture and the First Fathers that the Soul is naturally Mortal, but Immortalized actually by the Pleasure of God to Punishment or to Reward, by its Union with the Divine Baptismal Spirit, wherein is proved that none have the Power of giving this Divine Immortalizing Spirit since the Apostles but only the Bishops. By H. Dodwell." Dr. Clarke, in a Letter to Dodwell (1706), says that this Epistolary Discourse is "a book at which all good men are sorry, and all profane men rejoice."

** See Leslie's Rehearsals, No. 286, 287.

Two other nonjurors deserve special mention, less on account of their abilities and learning, than on account of their rare integrity, and of their not less rare candour. These were John Kettlewell, Rector of Coleshill, and John Fitzwilliam, Canon of Windsor. It is remarkable that both these men had seen much of Lord Russell, and that both, though differing from him in political opinions, and strongly disapproving the part which he had taken in the Whig plot, had thought highly of his character, and had been sincere mourners for his death. He had sent to Kettlewell an affectionate message from the scaffold in Lincoln's Inn Fields. Lady Russell, to her latest day, loved, trusted, and revered Fitzwilliam, who, when she was a girl, had been the friend of her father, the virtuous Southampton. The two clergymen agreed in refusing to swear: but they, from that moment, took different paths. Kettlewell was one of the most active members of his party: he declined no drudgery in the common cause, provided only that it were such drudgery as did not misbecome an honest man; and he defended his opinions in several tracts, which give a much higher notion of his sincerity than of his judgment or acuteness.* Fitzwilliam thought that he had done enough in quitting his pleasant dwelling and garden under the shadow of Saint George's Chapel, and in betaking himself with his books to a small lodging in an attic. He could not with a safe conscience acknowledge William and Mary: but he did not conceive that he was bound to be always stirring up sedition against them; and he passed the last years of his life, under the powerful protection of the House of Bedford, in innocent and studious repose.**

Kettlewell. Fitzwilliam.

* See his works, and the highly curious life of him which was compiled from the papers of his friends Hickes and Nelson.

** See Fitzwilliam's correspondence with Lady Russell, and his evidence on the trial of Ashton, in the State Trials. The only work which Fitzwilliam, as far as I have been able to discover, ever published was a

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General character of the nonjuring clergy.

Among the less distinguished divines who forfeited their benefices, were doubtless many good men: but it is certain that the moral character of the nonjurors, as a class, did not stand high. It seems hard to impute laxity of principle to persons who undoubtedly made a great sacrifice to principle. And yet experience abundantly proves that many who are capable of making a great sacrifice, when their blood is heated by conflict, and when the public eye is fixed upon them, are not capable of persevering long in the daily practice of obscure virtues. It is by no means improbable that zealots may have given their lives for a religion which had never effectually restrained their vindictive or their licentious passions. We learn indeed from fathers of the highest authority that, even in the purest ages of the Church, some confessors, who had manfully refused to save themselves from torments and death by throwing frankincense on the altar of Jupiter, afterwards brought scandal on the Christian name by gross fraud and debauchery.* For the nonjuring divines great allowance must in fairness be made. They were doubtless in a most trying situation. In general, a schism, which divides a religious community, divides the laity as well as the clergy. The seceding pastors therefore carry with them a large part of their flocks, and are consequently assured of a maintenance. But the schism of 1689 scarcely

sermon on the Rye House Plot, preached a few weeks after Russell's execution. There are some sentences in this sermon which I a little wonder that the widow and the family forgave.

* Cyprian, in one of his Epistles, addresses the confessors thus: "Quosdam audio inficere numerum vestrum, et laudem præcipui nominis prava sua conversatione destruere. . . Cum quanto nominis vestri pudore delinquitur quando alius aliquis temulentus et lasciviens demoratur; alius in eam patriam unde extorris est regreditur, ut deprehensus non jam quasi Christianus, sed quasi nocens pereat." He uses still stronger language in the book de Unitate Ecclesiæ: "Neque enim confessio immunem facit ab insidiis diaboli, aut contra tentationes et pericula et incursus atque impetus sæculares adhuc in sæculo positum perpetua securitate defendit; cæterum nunquam in confessoribus fraudes et stupra et adulteria postmodum videremus, quæ nunc in quibusdam videntes ingemiscimus et dolemus."

extended beyond the clergy. The law required the rector to take the oaths, or to quit his living: but no oath, no acknowledgment of the title of the new King and Queen, was required from the parishioner as a qualification for attending divine service, or for receiving the Eucharist. Not one in fifty, therefore, of those laymen who disapproved of the Revolution thought himself bound to quit his pew in the old church, where the old liturgy was still read, and where the old vestments were still worn, and to follow the ejected priest to a conventicle, a conventicle, too, which was not protected by the Toleration Act. Thus the new sect was a sect of preachers without hearers; and such preachers could not make a livelihood by preaching. In London, indeed, and in some other large towns, those vehement Jacobites, whom nothing would satisfy but to hear King James and the Prince of Wales prayed for by name, were sufficiently numerous to make up a few small congregations, which met secretly, and under constant fear of the constables, in rooms so mean that the meeting houses of the Puritan dissenters might by comparison be called palaces. Even Collier, who had all the qualities which attract large audiences, was reduced to be the minister of a little knot of malecontents, whose oratory was on a second floor in the city. But the nonjuring clergymen who were able to obtain even a pittance by officiating at such places were very few. Of the rest some had independent means: some lived by literature: one or two practised physic. Thomas Wagstaffe, for example, who had been Chancellor of Lichfield, had many patients, and made himself conspicuous by always visiting them in full canonicals.* But these were exceptions. Industrious poverty is a state by no means unfavourable to virtue: but it is dangerous to be at once poor and idle; and most

* Much curious information about the nonjurors will be found in the Biographical Memoirs of William Bowyer, printer, which forms the first volume of Nichols's Literary Anecdotes of the eighteenth century. A specimen of Wagstaffe's prescriptions is in the Bodleian Library.

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of the clergymen who had refused to swear found themselves thrown on the world with nothing to eat and with nothing to do. They naturally became beggars and loungers. Considering themselves as martyrs suffering in a public cause, they were not ashamed to ask any good churchman for a guinea. Most of them passed their lives in running about from one Tory coffee-house to another, abusing the Dutch, hearing and spreading reports that within a month His Majesty would certainly be on English ground, and wondering who would have Salisbury when Burnet was hanged. During the session of Parliament the lobbies and the Court of Requests were crowded with deprived parsons, asking who was up, and what the numbers were on the last division. Many of the ejected divines became domesticated, as chaplains, tutors and spiritual directors, in the houses of opulent Jacobites. In a situation of this kind, a man of pure and exalted character, such a man as Ken was among the nonjurors, and Watts among the nonconformists, may preserve his dignity, and may much more than repay by his example and his instructions the benefits which he receives. But to a person whose virtue is not high toned this way of life is full of peril. If he is of a quiet disposition, he is in danger of sinking into a servile, sensual, drowsy parasite. If he is of an active and aspiring nature, it may be feared that he will become expert in those bad arts by which, more easily than by faithful service, retainers make themselves agreeable or formidable. To discover the weak side of every character, to flatter every passion and prejudice, to sow discord and jealousy where love and confidence ought to exist, to watch the moment of indiscreet openness for the purpose of extracting secrets important to the prosperity and honour of families, such are the practices by which keen and restless spirits have too often avenged themselves for the humiliation of dependence. The public voice loudly accused many nonjurors of requiting the hospitality of

their benefactors with villany as black as that of the hypocrite depicted in the masterpiece of Molière. Indeed, when Cibber undertook to adapt that noble comedy to the English stage, he made his Tartuffe a nonjuror: and Johnson, who cannot be supposed to have been prejudiced against the nonjurors, frankly owned that Cibber had done them no wrong.*

There can be no doubt that the schism caused by the oaths would have been far more formidable, if, at this crisis, any extensive change had been made in the government or in the ceremonial of the Established Church. It is a highly instructive fact that those enlightened and tolerant divines who most ardently desired such a change afterwards saw reason to be thankful that their favourite project had failed.

The plan of Comprehension.

Whigs and Tories had in the late Session combined to get rid of Nottingham's Comprehension Bill by voting an address which requested the King to refer the whole subject to the

* Cibber's play, as Cibber wrote it, ceased to be popular when the Jacobites ceased to be formidable, and is now known only to the curious. In 1768 Bickerstaffe altered it into the Hypocrite, and substituted Dr. Cantwell, the Methodist, for Dr. Wolf, the Nonjuror. "I do not think," said Johnson, "the character of the Hypocrite justly applicable to the Methodists; but it was very applicable to the nonjurors." Boswell asked him if it were true that the nonjuring clergymen intrigued with the wives of their patrons. "I am afraid," said Johnson, "many of them did." This conversation took place on the 27th of March 1775. It was not merely in careless talk that Johnson expressed an unfavourable opinion of the nonjurors. In his Life of Fenton, who was a nonjuror, are these remarkable words: "It must be remembered that he kept his name unsullied, and never suffered himself to be reduced, like too many of the same sect, to mean arts and dishonourable shifts." See the Character of a Jacobite, 1690. Even in Kettlewell's Life, compiled from the papers of his friends Hickes and Nelson, will be found admissions which show that, very soon after the schism, some of the nonjuring clergy fell into habits of idleness, dependence, and mendicancy, which lowered the character of the whole party. "Several undeserving persons, who are always the most confident, by their going up and down, did much prejudice to the truly deserving, whose modesty would not suffer them to solicit for themselves..... Mr. Kettlewell was also very sensible that some of his brethren spent too much of their time in places of concourse and news, by depending for their subsistence upon those whom they there got acquainted with."

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Convocation. Burnet foresaw the effect of this vote. The whole scheme, he said, was utterly ruined.* Many of his friends, however, thought differently; and among these was Tillotson. Tillotson. Of all the members of the Low Church party Tillotson stood highest in general estimation. As a preacher, he was thought by his contemporaries to have surpassed all rivals living or dead. Posterity has reversed this judgment. Yet Tillotson still keeps his place as a legitimate English classic. His highest flights were indeed far below those of Taylor, of Barrow, and of South; but his oratory was more correct and equable than theirs. No quaint conceits, no pedantic quotations from Talmudists and scholiasts, no mean images, buffoon stories, scurrilous invectives, ever marred the effect of his grave and temperate discourses. His reasoning was just sufficiently profound and sufficiently refined to be followed by a popular audience with that slight degree of intellectual exertion which is a pleasure. His style is not brilliant; but it is pure, transparently clear, and equally free from the levity and from the stiffness which disfigure the sermons of some eminent divines of the seventeenth century. He is always serious: yet there is about his manner a certain graceful ease which marks him as a man who knows the world, who has lived in populous cities and in splendid courts, and who has conversed, not only with books, but with lawyers and merchants, wits and beauties, statesmen and princes. The greatest charm of his compositions, however, is derived from the benignity and candour which appear in every line, and which shone forth not less conspicuously in his life than in his writings.

As a theologian, Tillotson was certainly not less latitudinarian than Burnet. Yet many of those clergymen to whom Burnet was an object of implacable aversion spoke of Tillotson with

* Reresby's Memoirs, 344.

tenderness and respect. It is therefore not strange that the two friends should have formed different estimates of the temper of the priesthood, and should have expected different results from the meeting of the Convocation. Tillotson was not displeased with the vote of the Commons. He conceived that changes made in religious institutions by mere secular authority might disgust many churchmen, who would yet be perfectly willing to vote, in an ecclesiastical synod, for changes more extensive still; and his opinion had great weight with the King.* It was resolved that the Convocation should meet at the beginning of the next session of Parliament, and that in the meantime a commission should issue empowering some eminent divines to examine the Liturgy, the canons, and the whole system of jurisprudence administered by the Courts Christian, and to report on the alterations which it might be desirable to make.**

An Ecclesiastical Commission issued.

Most of the Bishops who had taken the oaths were in this commission; and with them were joined twenty priests of great note. Of the twenty Tillotson was the most important: for he was known to speak the sense both of the King and of the Queen. Among those Commissioners who looked up to Tillotson as their chief were Stillingfleet, Dean of Saint Paul's, Sharp, Dean of Norwich, Patrick, Dean of Peterborough, Tenison, Rector of Saint Martin's, and Fowler, to whose judicious firmness was chiefly to be ascribed the determination of the London clergy not to read the Declaration of Indulgence.

With such men as those who have been named were mingled some divines who belonged to the High Church party. Conspicuous among these were two of the rulers of Oxford, Aldrich and Jane. Aldrich had recently been appointed Dean of Christchurch, in the room of the Papist Massey, whom James

* Birch's Life of Tillotson.

** See the Discourse concerning the Ecclesiastical Commission, 1689.

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had, in direct violation of the laws, placed at the head of that great college. The new Dean was a polite, though not a profound, scholar, and a jovial, hospitable gentleman. He was the author of some theological tracts which have long been forgotten, and of a compendium of logic which is still used: but the best works which he has bequeathed to posterity are his catches. Jane, the King's Professor of Divinity, was a graver but a less estimable man. He had borne the chief part in framing that decree by which his University ordered the works of Milton and Buchanan to be publicly burned in the Schools. A few years later, irritated and alarmed by the persecution of the Bishops and by the confiscation of the revenues of Magdalene College, he had renounced the doctrine of nonresistance, had repaired to the head quarters of the Prince of Orange, and had assured His Highness that Oxford would willingly coin her plate for the support of the war against her oppressor. During a short time Jane was generally considered as a Whig, and was sharply lampooned by some of his old allies. He was so unfortunate as to have a name which was an excellent mark for the learned punsters of his university. Several epigrams were written on the doublefaced Janus, who, having got a professorship by looking one way, now hoped to get a bishopric by looking another. That he hoped to get a bishopric was perfectly true. He demanded the see of Exeter as a reward due to his services. He was refused. The refusal convinced him that the Church had as much to apprehend from Latitudinarianism as from Popery; and he speedily became a Tory again.*

Proceedings of the Commission.

Early in October the Commissioners assembled in the Jerusalem Chamber. At their first meeting they determined to propose that, in the public services of the Church, lessons

* Birch's Life of Tillotson; Life of Prideaux; Gentleman's Magazine for June and July, 1745.

taken from the canonical books of Scripture should be substituted for the lessons taken from the Apocrypha.* At the second meeting a strange question was raised by the very last person who ought to have raised it. Sprat, Bishop of Rochester, had, without any scruple, sate, during two years, in the unconstitutional tribunal which had, in the late reign, oppressed and pillaged the Church of which he was a ruler. But he had now become scrupulous, and expressed a doubt whether the commission were legal. To a plain understanding his objections seem to be mere quibbles. The commission gave power neither to make laws nor to administer laws, but simply to inquire and to report. Even without a royal commission Tillotson, Patrick, and Stillingfleet might, with perfect propriety, have met to discuss the state and prospects of the Church, and to consider whether it would or would not be desirable to make some concession to the dissenters. And how could it be a crime for subjects to do at the request of their Sovereign that which it would have been innocent and laudable for them to do without any such request? Sprat however was seconded by Jane. There was a sharp altercation; and Lloyd, Bishop of Saint Asaph, who, with many good qualities, had an irritable temper, was provoked into saying something about spies. Sprat withdrew and came no more. His example was soon followed by Jane and Aldrich.** The commissioners proceeded to take into consideration the question of the posture at the Eucharist. It was determined to recommend that a communicant, who, after conference with his minister, should declare that he could not conscientiously receive the bread and wine kneeling, might receive them sitting. Mew, Bishop of

* Diary of the Proceedings of the Commissioners, taken by Dr. Williams, afterwards Bishop of Chichester, one of the Commissioners, every night after he went home from the several meetings. This most curious Diary was printed by order of the House of Commons in 1854.

** Williams's Diary.

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Winchester, an honest man, but illiterate, weak even in his best days, and now fast sinking into dotage, protested against this concession, and withdrew from the assembly. The other members continued to apply themselves vigorously to their task: and no more secessions took place, though there were great differences of opinion, and though the debates were sometimes warm. The highest churchmen who still remained were Doctor William Beveridge, Archdeacon of Colchester, who many years later became Bishop of Saint Asaph, and Doctor John Scott, the same who had prayed by the deathbed of Jeffreys. The most active among the Latitudinarians appear to have been Burnet, Fowler, and Tenison.

The baptismal service was repeatedly discussed. As to matter of form the Commissioners were disposed to be indulgent. They were generally willing to admit infants into the Church without sponsors and without the sign of the cross. But the majority, after much debate, steadily refused to soften down or explain away those words which, to all minds not sophisticated, appear to assert the regenerating virtue of the sacrament.*

As to the surplice, the Commissioners determined to recommend that a large discretion should be left to the Bishops. Expedients were devised by which a person who had received Presbyterian ordination might, without admitting, either expressly or by implication, the invalidity of that ordination, become a minister of the Church of England.**

The ecclesiastical calendar was carefully revised. The great festivals were retained. But it was not thought desirable that Saint Valentine, Saint Chad, Saint Swithin, Saint Edward King of the West Saxons, Saint Dunstan, and Saint Alphage, should share the honours of Saint John and Saint Paul; or that

* Williams's Diary.
** Ibid.

the Church should appear to class the ridiculous fable of the discovery of the cross with facts so awfully important as the Nativity, the Passion, the Resurrection, and the Ascension of her Lord.*

The Athanasian Creed caused much perplexity. Most of the Commissioners were equally unwilling to give up the doctrinal clauses and to retain the damnatory clauses. Burnet, Fowler, and Tillotson were desirous to strike this famous symbol out of the liturgy altogether. Burnet brought forward one argument, which to himself probably did not appear to have much weight, but which was admirably calculated to perplex his opponents, Beveridge and Scott. The Council of Ephesus had always been reverenced by Anglican divines as a synod which had truly represented the whole body of the faithful, and which had been divinely guided in the way of truth. The voice of that Council was the voice of the Holy Catholic and Apostolic Church, not yet corrupted by superstition, or rent asunder by schism. During more than twelve centuries the world had not seen an ecclesiastical assembly which had an equal claim to the respect of believers. The Council of Ephesus had, in the plainest terms, and under the most terrible penalties, forbidden Christians to frame or to impose on their brethren any creed other than the creed settled by the Nicene Fathers. It should seem therefore that, if the Council of Ephesus was really under the direction of the Holy Spirit, whoever uses the Athanasian Creed must, in the very act of uttering an anathema against his neighbours, bring down an anathema on his own head.** In spite of the authority of the

* See the alterations in the Book of Common Prayer prepared by the Royal Commissioners for the revision of the Liturgy in 1689, and printed by order of the House of Commons in 1854.

** It is difficult to conceive stronger or clearer language than that used by the Council. *Τούτων τοίνυν ἀναγνωσθέντων, ὥρισεν ἡ ἁγία σύνοδος, ἑτέραν πίστιν μηδενὶ ἐξεῖναι προσφέρειν, ἤγουν συγγράφειν, ἢ συντιθέναι*

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Ephesian Fathers, the majority of the Commissioners determined to leave the Athanasian Creed in the Prayer Book; but they proposed to add a rubric drawn up by Stillingfleet, which declared that the damnatory clauses were to be understood to apply only to such as obstinately denied the substance of the Christian Faith. Orthodox believers were therefore permitted to hope that the heretic who had honestly and humbly sought for truth would not be everlastingly punished for having failed to find it.*

Tenison was intrusted with the business of examining the Liturgy and of collecting all those expressions to which objections had been made, either by theological or by literary critics. It was determined to remove some obvious blemishes. And it would have been wise in the Commissioners to stop here. Unfortunately they determined to rewrite a great part of the Prayer Book. It was a bold undertaking; for in general the style of that volume is such as cannot be improved. The English Liturgy indeed gains by being compared even with those fine ancient Liturgies from which it is to a great extent taken. The essential qualities of devotional eloquence, conciseness, majestic simplicity, pathetic earnestness of supplication, sobered by a profound reverence, are common between the translations and the originals. But in the subordinate graces of diction the originals must be allowed to be far inferior to the translations. And the reason is obvious. The technical phraseology of Christianity did not become a part of the Latin language till that language had passed the age of maturity and

παρὰ τὴν ὁρισθεῖσαν παρὰ τῶν ἁγίων πατέρων τῶν ἐν τῇ Νικαίων συνελθόντων σὺν ἁγίῳ πνεύματι· τοὺς δὲ τολμῶντας ἢ συντιθέναι πίστιν ἑτέραν, ἤγουν προκομίζειν, ἢ προσφέρειν τοῖς ἐθέλουσιν ἐπιστρέφειν εἰς ἐπίγνωσιν τῆς ἀληθείας, ἢ ἐξ Ἑλληνισμοῦ, ἢ ἐξ Ἰουδαϊσμοῦ, ἢ ἐξ αἱρέσεως οἱασδηποτοῦν, τούτους, εἰ μὲν εἶεν ἐπίσκοποι ἢ κλήρικοι, ἀλλοτρίους εἶναι τοὺς ἐπισκόπους τῆς ἐπισκοπῆς, καὶ τοὺς κληρίκους τοῦ κλήρου, εἰ δὲ λαϊκοὶ εἶεν, ἀναθεματίζεσθαι. — Concll. Ephes. Actio VI.

* Williams's Diary; Alterations in the Book of Common Prayer.

was sinking into barbarism. But the technical phraseology of Christianity was found in the Anglosaxon and in the Norman French, long before the union of those two dialects had produced a third dialect superior to either. The Latin of the Roman Catholic services, therefore, is Latin in the last stage of decay. The English of our services is English in all the vigour and suppleness of early youth. To the great Latin writers, to Terence and Lucretius, to Cicero and Cæsar, to Tacitus and Quintilian, the noblest compositions of Ambrose and Gregory would have seemed to be, not merely bad writing, but senseless gibberish.* The diction of our Book of Common Prayer, on the other hand, has directly or indirectly contributed to form the diction of almost every great English writer, and has extorted the admiration of the most accomplished infidels and of the most accomplished nonconformists, of such men as David Hume and Robert Hall.

The style of the Liturgy, however, did not satisfy the Doctors of the Jerusalem Chamber. They voted the Collects too short and too dry: and Patrick was intrusted with the duty of expanding and ornamenting them. In one respect, at least, the choice seems to have been unexceptionable; for, if we judge by the way in which Patrick paraphrased the most sublime Hebrew poetry, we shall probably be of opinion that, whether he was or was not qualified to make the collects better, no man that ever lived was more competent to make them longer.**

* It is curious to consider how those great masters of the Latin tongue who used to sup with Mæcenas and Pollio would have been perplexed by "Tibi Cherubim et Seraphim incessabili voce proclamant, Sanctus, Sanctus, Sanctus, Dominus Deus Sabaoth;" or by "Ideo cum angelis et archangelis, cum thronis et dominationibus."

** I wil' give two specimens of Patrick's workmanship. "He maketh me," says David, "to lie down in green pastures: he leadeth me beside the still waters." Patrick's version is as follows: "For as a good shepherd leads his sheep in the violent heat to shady places, where they may lie

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The Convocation of the province of Canterbury summoned.

Temper of the Clergy.

It mattered little, however, whether the recommendations of the Commission were good or bad. They were all doomed before they were known. The writs summoning the Convocation of the province of Canterbury had been issued; and the clergy were every where in a state of violent excitement. They had just taken the oaths, and were smarting from the earnest reproofs of nonjurors, from the insolent taunts of Whigs, and often undoubtedly from the stings of remorse. The announcement that a Convocation was to sit for the purpose of deliberating on a plan of comprehension roused all the strongest passions of the priest who had just complied with the law, and was ill satisfied or half satisfied with himself for complying. He had an opportunity of contributing to defeat a favourite scheme of that government which had exacted from him, under severe penalties, a submission not easily to be reconciled to his conscience or his pride. He had an opportunity of signalising his zeal for that Church whose characteristic doctrines he had been accused of deserting for lucre. She was now, he conceived, threatened by a danger as great as that of the preceding year. The Latitudinarians of 1689 were not less eager to humble and to ruin her than the Jesuits of 1688. The Toleration Act had done for the Dissenters quite as much as was compatible with her dignity and security; and nothing more ought to be con-

down and feed (not in parched, but) in fresh and green pastures, and in the evening leads them (not to muddy and troubled waters, but) to pure and quiet streams; so hath he already made a fair and plentiful provision for me, which I enjoy in peace without any disturbance."

In the Song of Solomon is an exquisitely beautiful verse. "I charge you, O daughters of Jerusalem, if ye find my beloved, that ye tell him that I am sick of love." Patrick's version runs thus: "So I turned myself to those of my neighbours and familiar acquaintance who were awakened by my cries to come and see what the matter was; and conjured them, as they would answer it to God, that, if they met with my beloved, they would let him know — What shall I say? — What shall I desire you to tell him but that I do not enjoy myself now that I want his company, nor can be well till I recover his love again."

ceded, not the hem of one of her vestments, not an epithet from the beginning to the end of her Liturgy. All the reproaches which had been thrown on the ecclesiastical commission of James were transferred to the ecclesiastical commission of William. The two commissions indeed had nothing but the name in common. But the name was associated with illegality and oppression, with the violation of dwellings and the confiscation of freeholds, and was therefore assiduously sounded with no small effect by the tongues of the spiteful in the ears of the ignorant.

The clergy ill affected towards the King.

The King too, it was said, was not sound. He conformed indeed to the established worship; but his was a local and occasional conformity. For some ceremonies to which High Churchmen were attached he had a distaste which he was at no pains to conceal. One of his first acts had been to give orders that in his private chapel the service should be said instead of being sung; and this arrangement, though warranted by the rubric, caused much murmuring.* It was known that he was so profane as to sneer at a practice which had been sanctioned by high ecclesiastical authority, the practice of touching for the scrofula. This ceremony had come down almost unaltered from the darkest of the dark ages to the time of Newton and Locke. The Stuarts frequently dispensed the healing influences in the Banqueting House. The days on which this miracle was to be wrought were fixed at sittings of the Privy Council, and were solemnly notified by the clergy in all the parish churches of the realm.** When the appointed time came, several divines in full canonicals stood round the canopy of state. The surgeon of the royal household introduced the sick. A passage

* William's dislike of the Cathedral service is sarcastically noticed by Leslie in the Rehearsal, No. 7. See also a Letter from a Member of the House of Commons to his Friend in the Country, 1689, and Bisset's Modern Fanatic, 1710.

** See the Order in Council of Jan. 9. 1683.

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from the sixteenth chapter of the Gospel of Saint Mark was read. When the words, "They shall lay their hands on the sick, and they shall recover," had been pronounced, there was a pause, and one of the sick was brought up to the King. His Majesty stroked the ulcers and swellings, and hung round the patient's neck a white riband to which was fastened a gold coin. The other sufferers were then led up in succession; and, as each was touched, the chaplain repeated the incantation, "They shall lay their hands on the sick, and they shall recover." Then came the epistle, prayers, antiphonies and a benediction. The service may still be found in the prayer books of the reign of Anne. Indeed it was not till some time after the accession of George the First that the University of Oxford ceased to reprint the Office of Healing together with the Liturgy. Theologians of eminent learning, ability, and virtue gave the sanction of their authority to this mummery;* and, what is stranger still, medical men of high note believed, or affected to believe, in the balsamic virtues of the royal hand. We must suppose that every surgeon who attended Charles the Second was a man of high repute for skill; and more than one of the surgeons who attended Charles the Second has left us a solemn profession of faith in the King's miraculous power. One of them is not ashamed to tell us that the gift was communicated by the unction administered at the coronation; that the cures were so numerous and sometimes so rapid that they could not be attributed to any natural cause; that the failures were to be ascribed to want of faith on the part of the patients;

* See Collier's Desertion discussed, 1689. Thomas Carte, who was a disciple, and, at one time, an assistant of Collier, inserted, so late as the year 1747, in a bulky History of England, an exquisitely absurd note, in which he assured the world that, to his certain knowledge, the Pretender had cured the scrofula, and very gravely inferred that the healing virtue was transmitted by inheritance, and was quite independent of any unction. See Carte's History of England, vol. i. page 291.

that Charles once handled a scrofulous Quaker and made him a healthy man and a sound Churchman in a moment; that, if those who had been healed lost or sold the piece of gold which had been hung round their necks, the ulcers broke forth again, and could be removed only by a second touch and a second talisman. We cannot wonder that, when men of science gravely repeated such nonsense, the vulgar should believe it. Still less can we wonder that wretches tortured by a disease over which natural remedies had no power should eagerly drink in tales of preternatural cures: for nothing is so credulous as misery. The crowds which repaired to the palace on the days of healing were immense. Charles the Second, in the course of his reign, touched near a hundred thousand persons. The number seems to have increased or diminished as the king's popularity rose or fell. During that Tory reaction which followed the dissolution of the Oxford Parliament, the press to get near him was terrific. In 1682, he performed the rite eight thousand five hundred times. In 1684, the throng was such that six or seven of the sick were trampled to death. James, in one of his progresses, touched eight hundred persons in the choir of the Cathedral of Chester. The expense of the ceremony was little less than ten thousand pounds a year, and would have been much greater but for the vigilance of the royal surgeons, whose business it was to examine the applicants, and to distinguish those who came for the cure from those who came for the gold.*

* See the Preface to a Treatise on Wounds, by Richard Wiseman, Sergeant Chirurgeon to His Majesty, 1676. But the fullest information on this curious subject will be found in the Charisma Basilicon, by John Browne, Chirurgeon in ordinary to His Majesty, 1684. See also The Ceremonies used in the Time of King Henry VII. for the Healing of them that be Diseased with the King's Evil, published by His Majesty's Command, 1686; Evelyn's Diary, March 28. 1684; and Bishop Cartwright's Diary, August 28, 29, and 30. 1687. It is incredible that so large a proportion of the population should have been really scrofulous. No doubt many

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William had too much sense to be duped, and too much honesty to bear a part in what he knew to be an imposture. "It is a silly superstition," he exclaimed, when he heard that, at the close of Lent, his palace was besieged by a crowd of the sick: "Give the poor creatures some money, and send them away."* On one single occasion he was importuned into laying his hand on a patient. "God give you better health," he said, "and more sense." The parents of scrofulous children cried out against his cruelty: bigots lifted up their hands and eyes in horror at his impiety: Jacobites sarcastically praised him for not presuming to arrogate to himself a power which belonged only to legitimate sovereigns; and even some Whigs thought that he acted unwisely in treating with such marked contempt a superstition which had a strong hold on the vulgar mind: but William was not to be moved, and was accordingly set down by many High Churchmen as either an infidel or a puritan.**

The clergy exasperated against the Dissenters by the proceedings of the Scotch Presbyterians.

The chief cause, however, which at this time made even the most moderate plan of comprehension hateful to the priesthood still remains to be mentioned. What Burnet had foreseen and foretold had come to pass. There was throughout the clerical profession a strong disposition to retaliate on the Presbyterians of England the wrongs of the Episcopalians of Scotland. It could not be denied that even the highest churchmen had, in the summer of 1688, generally declared themselves willing to give up many things for the sake of union. But it was said, and not without plausibility, that what was passing on the other side

persons who had slight and transient maladies were brought to the king, and the recovery of these persons kept up the vulgar belief in the efficacy of his touch.

* Paris Gazette, April 23. 1689.

** See Whiston's Life of himself. Poor Whiston, who believed in every thing but the Trinity, tells us gravely that the single person whom William touched was cured, notwithstanding His Majesty's want of faith. See also the Athenian Mercury of January 16. 1691.

of the Border proved union on any reasonable terms to be impossible. With what face, it was asked, can those who will make no concession to us where we are weak, blame us for refusing to make any concession to them where we are strong? We cannot judge correctly of the principles and feelings of a sect from the professions which it makes in a time of feebleness and suffering. If we would know what the Puritan spirit really is, we must observe the Puritan when he is dominant. He was dominant here in the last generation; and his little finger was thicker than the loins of the prelates. He drove hundreds of quiet students from their cloisters, and thousands of respectable divines from their parsonages, for the crime of refusing to sign his Covenant. No tenderness was shown to learning, to genius or to sanctity. Such men as Hall and Sanderson, Chillingworth and Hammond, were not only plundered, but flung into prisons, and exposed to all the rudeness of brutal gaolers. It was made a crime to read fine psalms and prayers bequeathed to the faithful by Ambrose and Chrysostom. At length the nation became weary of the reign of the saints. The fallen dynasty and the fallen hierarchy were restored. The Puritan was in his turn subjected to disabilities and penalties; and he immediately found out that it was barbarous to punish men for entertaining conscientious scruples about a garb, about a ceremony, about the functions of ecclesiastical officers. His piteous complaints and his arguments in favour of toleration had at length imposed on many well meaning persons. Even zealous churchmen had begun to entertain a hope that the severe discipline which he had undergone had made him candid, moderate, charitable. Had this been really so, it would doubtless have been our duty to treat his scruples with extreme tenderness. But, while we were considering what we could do to meet his wishes in England, he had obtained ascendency in Scotland; and, in an instant, he was all himself again, bigoted, insolent, and cruel.

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Manses had been sacked; churches shut up; prayer books burned; sacred garments torn; congregations dispersed by violence; priests hustled, pelted, pilloried, driven forth, with their wives and babes, to beg or die of hunger. That these outrages were to be imputed, not to a few lawless marauders, but to the great body of the Presbyterians of Scotland, was evident from the fact that the government had not dared either to inflict punishment on the offenders or to grant relief to the sufferers. Was it not fit then that the Church of England should take warning? Was it reasonable to ask her to mutilate her apostolical polity and her beautiful ritual for the purpose of conciliating those who wanted nothing but power to rabble her as they had rabbled her sister? Already these men had obtained a boon which they ill deserved, and which they never would have granted. They worshipped God in perfect security. Their meeting houses were as effectually protected as the choirs of our cathedrals. While no episcopal minister could, without putting his life in jeopardy, officiate in Ayrshire or Renfrewshire, a hundred Presbyterian ministers preached unmolested every Sunday in Middlesex. The legislature had, with a generosity perhaps imprudent, granted toleration to the most intolerant of men; and with toleration it behoved them to be content.

Constitution of the Convocation.

Thus several causes conspired to inflame the parochial clergy against the scheme of comprehension. Their temper was such that, if the plan framed in the Jerusalem Chamber had been directly submitted to them, it would have been rejected by a majority of twenty to one. But in the Convocation their weight bore no proportion to their number. The Convocation has, happily for our country, been so long utterly insignificant that, till a recent period, none but curious students cared to inquire how it was constituted; and even now many persons, not generally ill informed, imagine it to have been a council repre-

senting the Church of England. In truth the Convocation so often mentioned in our ecclesiastical history is merely the synod of the Province of Canterbury, and never had a right to speak in the name of the whole clerical body. The Province of York had also its convocation: but, till the eighteenth century was far advanced, the Province of York was generally so poor, so rude, and so thinly peopled, that, in political importance, it could hardly be considered as more than a tenth part of the kingdom. The sense of the Southern clergy was therefore popularly considered as the sense of the whole profession. When the formal concurrence of the Northern clergy was required, it seems to have been given as a matter of course. Indeed the canons passed by the Convocation of Canterbury in 1604 were ratified by James the First, and were ordered to be strictly observed in every part of the kingdom, two years before the Convocation of York went through the form of approving them. Since these ecclesiastical councils became mere names, a great change has taken place in the relative position of the two Archbishoprics. In all the elements of power, the region beyond Trent is now at least a third part of England. When in our own time the representative system was adjusted to the altered state of the country, almost all the small boroughs which it was necessary to disfranchise were in the south. Two thirds of the new members given to great provincial towns were given to the north. If therefore any English government should suffer the Convocations, as now constituted, to meet for the despatch of business, two independent synods would be legislating at the same time for one Church. It is by no means impossible that one assembly might adopt canons which the other might reject, that one assembly might condemn as heretical propositions which the other might hold to be orthodox.* In

* In several recent publications the apprehension that differences might arise between the Convocation of York and the Convocation of

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the seventeenth century no such danger was apprehended. So little indeed was the Convocation of York then considered, that the two Houses of Parliament had, in their address to William, spoken only of one Convocation, which they called the Convocation of the Clergy of the Kingdom.

The body which they thus not very accurately designated is divided into two Houses. The Upper House is composed of the Bishops of the Province of Canterbury. The Lower House consisted, in 1689, of a hundred and forty four members. Twenty two Deans and fifty four Archdeacons sate there in virtue of their offices. Twenty four divines sate as proctors for twenty four chapters. Only forty four proctors were elected by the eight thousand parish priests of the twenty two dioceses. These forty four proctors, however, were almost all of one mind. The elections had in former times been conducted in the most quiet and decorous manner. But on this occasion the canvassing was eager: the contests were sharp: Rochester, the leader of the party which in the House of Lords had opposed the Comprehension Bill, and his brother Clarendon, who had refused to take the oaths, had gone to Oxford, the head quarters of that party, for the purpose of animating and organizing the opposition.* The representatives of the parochial clergy must have been men whose chief distinction was their zeal: for in the whole list can be found not a single illustrious name, and very few names which are now known even to curious students.** The official

Election of members of Convocation.

Canterbury has been contemptuously pronounced chimerical. But it is not easy to understand why two independent Convocations should be less likely to differ than two Houses of the same Convocation; and it is matter of notoriety that, in the reigns of William the Third and Anne, the two Houses of the Convocation of Canterbury scarcely ever agreed.

* Birch's Life of Tillotson; Life of Prideaux. From Clarendon's Diary, it appears that he and Rochester were at Oxford on the 23rd of September.

** See the Roll in the Historical Account of the present Convocation, appended to the second edition of Vox Cleri, 1690. The most considerable

members of the Lower House, among whom were many distinguished scholars and preachers, seem to have been not very unequally divided. CHAP. XIV. 1689.

During the summer of 1689 several high ecclesiastical dignities became vacant, and were bestowed on divines who were sitting in the Jerusalem Chamber. It has already been mentioned that Thomas, Bishop of Worcester, died just before the day fixed for taking the oaths. Lake, Bishop of Chichester, lived just long enough to refuse them, and with his last breath declared that he would maintain even at the stake the doctrine of indefeasible hereditary right. The see of Chichester was filled by Patrick, that of Worcester by Stillingfleet; and the deanery of Saint Paul's which Stillingfleet quitted was given to Tillotson. That Tillotson was not raised to the episcopal bench excited some surprise. But in truth it was because the government held his services in the highest estimation that he was suffered to remain a little longer a simple presbyter. The most important office in the Convocation was that of Prolocutor of the Lower House. The Prolocutor was to be chosen by the members: and the only moderate man who had a chance of being chosen was Tillotson. It had in fact been already determined that he should be the next Archbishop of Canterbury. When he went to kiss hands for his new deanery he warmly thanked the King. "Your Majesty has now set me at ease for the remainder of my life." "No such thing, Doctor, I assure you," said William. He then plainly intimated that, whenever Sancroft should cease to fill the highest ecclesiastical station, Tillotson would succeed to it. Tillotson stood aghast; for his nature was quiet and unambitious: he was beginning to feel the infirmities of old age: he cared little for money: of wordly advantages those which he most valued were an honest fame

Ecclesiastical preferments bestowed.

name that I perceive in the list of proctors chosen by the parochial clergy is that of Dr. John Mill, the editor of the Greek Testament.

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and the general good will of mankind: those advantages he already possessed; and he could not but be aware that, if he became primate, he should incur the bitterest hatred of a powerful party, and should become a mark for obloquy, from which his gentle and sensitive nature shrank as from the rack or the wheel. William was earnest and resolute. "It is necessary," he said, "for my service; and I must lay on your conscience the responsibility of refusing me your help." Here the conversation ended. It was, indeed, not necessary that the point should be immediately decided; for several months were still to elapse before the Archbishopric would be vacant.

Tillotson bemoaned himself with unfeigned anxiety and sorrow to Lady Russell, whom, of all human beings, he most honoured and trusted.* He hoped, he said, that he was not inclined to shrink from the service of the Church; but he was convinced that his present line of service was that in which he could be most useful. If he should be forced to accept so high and so invidious a post as the primacy, he should soon sink under the load of duties and anxieties too heavy for his strength. His spirits, and with his spirits his abilities, would fail him. He gently complained of Burnet, who loved and admired him with a truly generous heartiness, and who had laboured to persuade both the King and Queen that there was in England only one man fit for the highest ecclesiastical dignity. "The Bishop of Salisbury," said Tillotson, "is one of the best and worst friends that I know."

Compton discontented.

Nothing that was not a secret to Burnet was likely to be long a secret to any body. It soon began to be whispered about that the King had fixed on Tillotson to fill the place of Sancroft. The news caused cruel mortification to Compton, who, not unnaturally, conceived that his own claims were unrivalled. He had educated the Queen and her sister; and to the instruction

* Tillotson to Lady Russell, April 19. 1690.

which they had received from him might fairly be ascribed, at least in part, the firmness with which, in spite of the influence of their father, they had adhered to the established religion. Compton was, moreover, the only prelate who, during the late reign, had raised his voice in Parliament against the dispensing power, the only prelate who had been suspended by the High Commission, the only prelate who had signed the invitation to the Prince of Orange, the only prelate who had actually taken arms against Popery and arbitrary power, the only prelate, save one, who had voted against a Regency. Among the ecclesiastics of the Province of Canterbury who had taken the oaths, he was highest in rank. He had therefore held, during some months, a vicarious primacy: he had crowned the new Sovereigns: he had consecrated the new Bishops: he was about to preside in the Convocation. It may be added, that he was the son of an Earl; and that no person of equally high birth then sate, or had ever sate, since the Reformation, on the episcopal bench. That the government should put over his head a priest of his own diocese, who was the son of a Yorkshire clothier, and who was distinguished only by abilities and virtues, was provoking; and Compton, though by no means a badhearted man, was much provoked. Perhaps his vexation was increased by the reflection that he had, for the sake of those by whom he was thus slighted, done some things which had strained his conscience and sullied his reputation, that he had at one time practised the disingenuous arts of a diplomatist, and at another time given scandal to his brethren by wearing the buff coat and jackboots of a trooper. He could not accuse Tillotson of inordinate ambition. But, though Tillotson was most unwilling to accept the Archbishopric himself, he did not use his influence in favour of Compton, but earnestly recommended Stillingfleet as the man fittest to preside over the Church of England. The consequence was

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that, on the eve of the meeting of Convocation, the Bishop who was to be at the head of the Upper House became the personal enemy of the presbyter whom the government wished to see at the head of the Lower House. This quarrel added new difficulties to difficulties which little needed any addition.*

The Convocation meets.

It was not till the twentieth of November that the Convocation met for the despatch of business. The place of meeting had generally been Saint Paul's Cathedral. But Saint Paul's Cathedral was slowly rising from its ruins; and, though the dome already towered high above the hundred steeples of the City, the choir had not yet been opened for public worship. The assembly therefore sate at Westminster.** A table was placed in the beautiful chapel of Henry the Seventh. Compton was in the chair. On his right and left those suffragans of Canterbury who had taken the oaths were ranged in gorgeous vestments of scarlet and miniver. Below the table was assembled the crowd of presbyters. Beveridge preached a Latin sermon, in which he warmly eulogized the existing system, and yet declared himself favourable to a moderate reform. Ecclesiastical laws were, he said, of two kinds. Some laws were fundamental and eternal: they derived their authority from God; nor could any religious community repeal them without ceasing to form a part of the universal Church. Other laws were local and temporary. They had been framed by human wisdom, and might be altered by human wisdom. They ought not indeed to be altered without grave reasons. But surely, at that moment, such reasons were not wanting. To unite a scattered flock in one fold under one shepherd, to remove stum-

* Birch's Life of Tillotson. The account there given of the coldness between Compton and Tillotson was taken by Birch from the MSS. of Henry Wharton, and is confirmed by many circumstances which are known from other sources of intelligence.

** Chamberlayne's State of England, 16th edition.

bling blocks from the path of the weak, to reconcile hearts long estranged, to restore spiritual discipline to its primitive vigour, to place the best and purest of Christian societies on a base broad enough to stand against all the attacks of earth and hell, these were objects which might well justify some modification, not of Catholic institutions, but of national or provincial usages.*

The High-Church men a majority of the Lower House of Convocation.

The Lower House, having heard this discourse, proceeded to appoint a Prolocutor. Sharp, who was probably put forward by the members favourable to a comprehension as one of the highest churchmen among them, proposed Tillotson. Jane, who had refused to act under the Royal Commission, was proposed on the other side. After some animated discussion, Jane was elected by fifty five votes to twenty eight.**

The Prolocutor was formally presented to the Bishop of London, and made, according to ancient usage, a Latin oration. In this oration the Anglican Church was extolled as the most perfect of all institutions. There was a very intelligible intimation that no change whatever in her doctrine, her discipline, or her ritual was required; and the discourse concluded with a most significant sentence. Compton, when a few months before he exhibited himself in the somewhat unclerical character of a colonel of horse, had ordered the colours of his regiment to be embroidered with the well known words "Nolumus leges Angliæ mutari;" and with these words Jane closed his peroration.***

Still the Low Churchmen did not relinquish all hope. They very wisely determined to begin by proposing to substitute lessons taken from the canonical books for the lessons taken from the Apocrypha. It should seem that this was a suggestion

* Concio ad Synodum per Gulielmum Beveregium, 1689.

** Narcissus Luttrell's Diary; Historical Account of the Present Convocation.

*** Kennet's History, iii. 552.

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which, even if there had not been a single dissenter in the kingdom, might well have been received with favour. For the Church had, in her sixth Article, declared that the canonical books were, and that the Apocryphal books were not, entitled to be called Holy Scriptures, and to be regarded as the rule of faith. Even this reform, however, the High Churchmen were determined to oppose. They asked, in pamphlets which covered the counters of Paternoster Row and Little Britain, why country congregations should be deprived of the pleasure of hearing about the ball of pitch with which Daniel choked the dragon, and about the fish whose liver gave forth such a fume as sent the devil flying from Ecbatana to Egypt. And were there not chapters of the Wisdom of the Son of Sirach far more interesting and edifying than the genealogies and muster rolls which made up a large part of the Chronicles of the Jewish Kings and of the narrative of Nehemiah? No grave divine however would have liked to maintain, in Henry the Seventh's Chapel, that it was impossible to find, in many hundreds of pages dictated by the Holy Spirit, fifty or sixty chapters more edifying than any thing which could be extracted from the works of the most respectable uninspired moralist or historian. The leaders of the majority therefore determined to shun a debate in which they must have been reduced to a disagreeable dilemma. Their plan was, not to reject the recommendations of the Commissioners, but to prevent those recommendations from being discussed; and with this view a system of tactics was adopted which proved successful.

The law, as it had been interpreted during a long course of years, prohibited the Convocation from even deliberating on any ecclesiastical ordinance without a previous warrant from the Crown. Such a warrant, sealed with the great seal, was brought in form to Henry the Seventh's Chapel by Nottingham. He at the same time delivered a message from the

King. His Majesty exhorted the assembly to consider calmly and without prejudice the recommendations of the Commission, and declared that he had nothing in view but the honour and advantage of the Protestant religion in general, and of the Church of England in particular.*

Difference between the two Houses of Convocation.

The Bishops speedily agreed on an address of thanks for the royal message, and requested the concurrence of the Lower House. Jane and his adherents raised objection after objection. First they claimed the privilege of presenting a separate address. When they were forced to waive this claim, they refused to agree to any expression which imported that the Church of England had any fellowship with any other Protestant community. Amendments and reasons were sent backward and forward. Conferences were held at which Burnet on one side and Jane on the other were the chief speakers. At last, with great difficulty, a compromise was made; and an address, cold and ungracious compared with that which the Bishops had framed, was presented to the King in the Banqueting House. He dissembled his vexation, returned a kind answer, and intimated a hope that the assembly would now at length proceed to consider the great question of Comprehension.**

The Lower House of Convocation proves unmanageable.

Such however was not the intention of the leaders of the Lower House. As soon as they were again in Henry the Seventh's Chapel, one of them raised a debate about the nonjuring Bishops. In spite of the unfortunate scruple which those prelates entertained, they were learned and holy men. Their advice might, at this conjuncture, be of the greatest service to the Church. The Upper House was hardly an Upper House in the absence of the Primate and of many of his most respectable suffragans. Could nothing be done to remedy this evil?***

* Historical Account of the Present Convocation, 1689.

** Historical Account of the Present Convocation; Burnet, ii. 58.; Kennet's History of the Reign of William and Mary.

*** Historical Account of the Present Convocation; Kennet's History.

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Another member complained of some pamphlets which had lately appeared, and in which the Convocation was not treated with proper deference. The assembly took fire. Was it not monstrous that this heretical and schismatical trash should be cried by the hawkers about the streets, and should be exposed to sale in the booths of Westminster Hall, within a hundred yards of the Prolocutor's chair? The work of mutilating the Liturgy and of turning cathedrals into conventicles might surely be postponed till the Synod had taken measures to protect its own freedom and dignity. It was then debated how the printing of such scandalous books should be prevented. Some were for indictments, some for ecclesiastical censures.* In such deliberations as these week after week passed away. Not a single proposition tending to a Comprehension had been even discussed. Christmas was approaching. At Christmas there was to be a recess. The Bishops were desirous that, during the recess, a committee should sit to prepare business. The Lower House refused to consent.** That House, it was now evident, was fully determined not even to enter on the consideration of any part of the plan which had been framed by the Royal Commissioners. The proctors of the dioceses were in a worse humour than when they first came up to Westminster. Many of them had probably never before passed a week in the capital, and had not been aware how great the difference was between a town divine and a country divine. The sight of the luxuries and comforts enjoyed by the popular preachers of the city raised, not unnaturally, some sore feeling in a Lincolnshire or Caernarvonshire vicar who was accustomed to live as hardly as a small farmer. The very circumstance that the London clergy were generally for a comprehension made the representatives of the rural clergy obstinate on the other side.*** The prelates were,

* Historical Account of the Present Convocation, Kennet.

** Historical Account of the Present Convocation.

*** That there was such a jealousy as I have described is admitted in

as a body, sincerely desirous that some concession might be made to the nonconformists. But the prelates were utterly unable to curb the mutinous democracy. They were few in number. Some of them were objects of extreme dislike to the parochial clergy. The President had not the full authority of a primate; nor was he sorry to see those who had, as he conceived, used him ill, thwarted and mortified. It was necessary to yield. The Convocation was prorogued for six weeks. When those six weeks had expired, it was prorogued again; and many years elapsed before it was permitted to transact business.

The Convocation prorogued.

So ended, and for ever, the hope that the Church of England might be induced to make some concession to the scruples of the nonconformists. A learned and respectable minority of the clerical order relinquished that hope with deep regret. Yet in a very short time even Burnet and Tillotson found reason to believe that their defeat was really an escape, and that victory would have been a disaster. A reform, such as, in the days of Elizabeth, would have united the great body of English Protestants, would, in the days of William, have alienated more hearts than it would have conciliated. The schism which the oaths had produced was, as yet, insignificant. Innovations such as those proposed by the Royal Commissioners would have given it a terrible importance. As yet a layman, though he might think the proceedings of the Convention unjustifiable, and though he might applaud the virtue of the nonjuring clergy, still continued to sit under the accustomed pulpit, and to kneel

the pamphlet entitled Vox Cleri. "Some country ministers, now of the Convocation, do now see in what great ease and plenty the City ministers live, who have their readers and lecturers, and frequent supplies, and sometimes tarry in the vestry till prayers be ended, and have great dignities in the Church, besides their rich parishes in the City." The author of this tract, once widely celebrated, was Thomas Long, proctor for the clergy of the diocese of Exeter. In another pamphlet, published at this time, the rural clergymen are said to have seen with an evil eye their London brethren refreshing themselves with sack after preaching. Several satirical allusions to the fable of the Town Mouse and the Country Mouse will be found in the pamphlets of that winter.

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at the accustomed altar. But if, just at this conjuncture, while his mind was irritated by what he thought the wrong done to his favourite divines, and while he was perhaps doubting whether he ought not to follow them, his ears and eyes had been shocked by changes in the worship to which he was fondly attached, if the compositions of the doctors of the Jerusalem Chamber had taken the place of the old collects, if he had seen clergymen without surplices carrying the chalice and the paten up and down the aisle to seated communicants, the tie which bound him to the Established Church would have been dissolved. He would have repaired to some nonjuring assembly, where the service which he loved was performed without mutilation. The new sect, which as yet consisted almost exclusively of priests, would soon have been swelled by numerous and large congregations; and in those congregations would have been found a much greater proportion of the opulent, of the highly descended, and of the highly educated, than any other body of dissenters could show. The Episcopal schismatics, thus reinforced, would probably have been as formidable to the new King and his successors as ever the Puritan schismatics had been to the princes of the House of Stuart. It is an indisputable and a most instructive fact, that we are, in a great measure, indebted for the civil and religious liberty which we enjoy to the pertinacity with which the High Church party, in the Convocation of 1689, refused even to deliberate on any plan of Comprehension.*

* Burnet, ii. 33, 34. The best narratives of what passed in this Convocation are the Historical Account appended to the second edition of Vox Cleri, and the passage in Kennet's History to which I have already referred the reader. The former narrative is by a very high churchman, the latter by a very low churchman. Those who are desirous of obtaining fuller information must consult the contemporary pamphlets. Among them are Vox Populi; Vox Laici; Vox Regis et Regni; the Healing Attempt; the Letter to a Friend, by Dean Prideaux; the Letter from a Minister in the Country to a Member of the Convocation; the Answer to the Merry Answer to Vox Cleri; the Remarks from the Country upon two Letters relating to the Convocation; the Vindication of the Letters in answer to Vox Cleri; the Answer to the Country Minister's Letter. All these tracts appeared late in 1689 or early in 1690.

CHAPTER XV.

WHILE the Convocation was wrangling on one side of Old Palace Yard, the Parliament was wrangling even more fiercely on the other. The Houses, which had separated on the twentieth of August, had met again on the nineteenth of October. On the day of meeting an important change struck every eye. Halifax was no longer on the woolsack. He had reason to expect that the persecution, from which in the preceding session he had narrowly escaped, would be renewed. The events which had taken place during the recess, and especially the disasters of the campaign in Ireland, had furnished his persecutors with fresh means of annoyance. His administration had not been successful; and, though his failure was partly to be ascribed to causes against which no human wisdom could have contended, it was also partly to be ascribed to the peculiarities of his temper and of his intellect. It was certain that a large party in the Commons would attempt to remove him; and he could no longer depend on the protection of his master. It was natural that a prince who was emphatically a man of action should become weary of a minister who was a man of speculation. Charles, who went to Council as he went to the play, solely to be amused, was delighted with an adviser who had a hundred pleasant and ingenious things to say on both sides of every question. But William had no taste for disquisitions and disputations, however lively and subtle, which occupied much time and led to no conclusion. It was reported, and is not improbable, that on one occasion he could not refrain from expressing in sharp terms at the council board

The Parliament meets.

Retirement of Halifax.

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his impatience at what seemed to him a morbid habit of indecision.* Halifax, mortified by his mischances in public life, dejected by domestic calamities, disturbed by apprehensions of an impeachment, and no longer supported by royal favour, became sick of public life, and began to pine for the silence and solitude of his seat in Nottinghamshire, an old Cistercian Abbey buried deep among woods. Early in October it was known that he would no longer preside in the Upper House. It was at the same time whispered as a great secret that he meant to retire altogether from business, and that he retained the Privy Seal only till a successor should be named. Chief Baron Atkyns was appointed Speaker of the Lords.**

Supplies voted.

On some important points there appeared to be no difference of opinion in the legislature. The Commons unanimously resolved that they would stand by the King in the work of reconquering Ireland, and that they would enable him to prosecute with vigour the war against France.*** With equal unanimity they voted an extraordinary supply of two millions.† It was determined that the greater part of this sum should be levied by an assessment on real property. The rest was to be raised partly by a poll tax, and partly by new duties on tea, coffee and chocolate. It was proposed that a hundred thousand pounds should be exacted from the Jews; and this proposition was at first favourably received by the House: but difficulties arose. The Jews presented a petition in which they declared that they could not afford to pay such a sum, and that they would rather leave the kingdom than stay there to be ruined.

* "Halifax a eu une reprimande sévère publiquement dans le conseil par le Prince d'Orange pour avoir trop balancé." — Avaux to De Croissy, Dublin, June $\frac{1}{11}$. 1689. "His mercurial wit," says Burnet, ii. 4., "was not well suited with the King's phlegm."

** Clarendon's Diary, Oct. 10. 1689; Lords' Journals, Oct. 19. 1689.

*** Commons' Journals, Oct. 24. 1689.

† Commons' Journals, Nov. 2. 1689.

Enlightened politicians could not but perceive that special taxation, laid on a small class which happens to be rich, unpopular and defenceless, is really confiscation, and must ultimately impoverish rather than enrich the State. After some discussion, the Jew tax was abandoned.*

The Bill of Rights, which, in the last Session, had, after causing much altercation between the Houses, been suffered to drop, was again introduced, and was speedily passed. The peers no longer insisted that any person should be designated by name as successor to the crown, if Mary, Anne and William should all die without posterity. During eleven years nothing more was heard of the claims of the House of Brunswick.

The Bill of Rights passed.

The Bill of Rights contained some provisions which deserve special mention. The Convention had resolved that it was contrary to the interest of the kingdom to be governed by a Papist, but had prescribed no test which could ascertain whether a prince was or was not a Papist. The defect was now supplied. It was enacted that every English sovereign should, in full Parliament, and at the coronation, repeat and subscribe the Declaration against Transubstantiation.

It was also enacted that no person who should marry a Papist should be capable of reigning in England, and that, if the Sovereign should marry a Papist, the subject should be absolved from allegiance. Burnet boasts that this part of the Bill of Rights was his work. He had little reason to boast: for a more wretched specimen of legislative workmanship will not easily be found. In the first place, no test is prescribed.

* Commons' Journals, Nov. 7. 19., Dec. 30. 1689. The rule of the House then was that no petition could be received against the imposition of a tax. This rule was, after a very hard fight, rescinded in 1842. The petition of the Jews was not received, and is not mentioned in the Journals. But something may be learned about it from Narcissus Luttrell's Diary and from Grey's Debates, Nov. 19. 1689.

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Whether the consort of a Sovereign has taken the oath of supremacy, has signed the declaration against transubstantiation, has communicated according to the ritual of the Church of England, are very simple issues of fact. But whether the consort of a Sovereign is or is not a Papist is a question about which people may argue for ever. What is a Papist? The word is not a word of definite signification either in law or in theology. It is merely a popular nickname, and means very different things in different mouths. Is every person a Papist who is willing to concede to the Bishop of Rome a primacy among Christian prelates? If so, James the First, Charles the First, Laud, Heylyn, were Papists.* Or is the appellation to be confined to persons who hold the ultramontane doctrines touching the authority of the Holy See? If so, neither Bossuet nor Pascal was a Papist.

What again is the legal effect of the words which absolve the subject from his allegiance? Is it meant that a person arraigned for high treason may tender evidence to prove that the Sovereign has married a Papist? Would Thistlewood, for example, have been entitled to an acquittal, if he could have proved that King George the Fourth had married Mrs. Fitzherbert, and that Mrs. Fitzherbert was a Papist? It is not easy to believe that any tribunal would have gone into such a question. Yet to what purpose is it to enact that, in a certain case, the subject shall be absolved from his allegiance, if the tribunal

* James, in the very treatise in which he tried to prove the Pope to be Antichrist, says: "For myself, if that were yet the question, I would with all my heart give my consent that the Bishop of Rome should have the first seat." There is a remarkable letter on this subject written by James to Charles and Buckingham, when they were in Spain. Heylyn, speaking of Laud's negotiation with Rome, says: "So that upon the point the Pope was to content himself among us in England with a priority instead of a superiority over other Bishops, and with a primacy instead of a supremacy in those parts of Christendom, which I conceive no man of learning and sobriety would have grudged to grant him."

before which he is tried for a violation of his allegiance is not to go into the question whether that case has arisen?

The question of the dispensing power was treated in a very different manner, was fully considered, and was finally settled in the only way in which it could be settled. The Declaration of Right had gone no further than to pronounce that the dispensing power, as of late exercised, was illegal. That a certain dispensing power belonged to the Crown was a proposition sanctioned by authorities and precedents of which even Whig lawyers could not speak without respect; but as to the precise extent of this power hardly any two jurists were agreed; and every attempt to frame a definition had failed. At length by the Bill of Rights the anomalous prerogative which had caused so many fierce disputes was absolutely and for ever taken away.*

Inquiry into naval abuses.

In the House of Commons there was, as might have been expected, a series of sharp debates on the misfortunes of the autumn. The negligence or corruption of the Navy Board, the frauds of the contractors, the rapacity of the captains of the King's ships, the losses of the London merchants, were themes for many keen speeches. There was indeed reason for anger. A severe inquiry, conducted by William in person at the Treasury, had just elicited the fact that much of the salt with which the meat furnished to the fleet had been cured had been by accident mixed with galls such as are used for the purpose of making ink. The victuallers threw the blame on the rats, and maintained that the provisions thus seasoned, though certainly disagreeable to the palate, were not injurious to health.** The Commons were in no temper to listen to such excuses. Several persons who had been concerned in cheating the government and poisoning the sailors were taken into custody by the Ser-

* Stat. 1 W. & M. sess. 2. c. 2.

** Treasury Minute Book, Nov. 3. 1689.

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jeant.* But no censure was passed on the chief offender, Torrington; nor does it appear that a single voice was raised against him. He had personal friends in both parties. He had many popular qualities. Even his vices were not those which excite public hatred. The people readily forgave a courageous openhanded sailor for being too fond of his bottle, his boon companions and his mistresses, and did not sufficiently consider how great must be the perils of a country of which the safety depends on a man sunk in indolence, stupified by wine, enervated by licentiousness, ruined by prodigality, and enslaved by sycophants and harlots.

Inquiry into the conduct of the Irish war.

The sufferings of the army in Ireland called forth strong expressions of sympathy and indignation. The Commons did justice to the firmness and wisdom with which Schomberg had conducted the most arduous of all campaigns. That he had not achieved more was attributed chiefly to the villany of the Commissariat. The pestilence itself, it was said, would have been no serious calamity if it had not been aggravated by the wickedness of man. The disease had generally spared those who had warm garments and bedding, and had swept away by thousands those who were thinly clad and who slept on the wet ground. Immense sums had been drawn out of the Treasury: yet the pay of the troops was in arrear. Hundreds of horses, tens of thousands of shoes, had been paid for by the public: yet the baggage was left behind for want of beasts to draw it; and the soldiers were marching barefoot through the mire. Seventeen hundred pounds had been charged to the government for medicines: yet the common drugs with which every apothecary in the smallest market town was provided were not to be found in the plague-stricken camp. The cry against Shales was loud. An address was carried to the throne, requesting that he might be sent for

* Commons' Journals and Grey's Debates, Nov. 13, 14. 18, 19. 23. 28. 1689.

to England, and that his accounts and papers might be secured. With this request the King readily complied; but the Whig majority was not satisfied. By whom had Shales been recommended for so important a place as that of Commissary General? He had been a favourite at Whitehall in the worst times. He had been zealous for the Declaration of Indulgence. Why had this creature of James been entrusted with the business of catering for the army of William? It was proposed by some of those who were bent on driving all Tories and Trimmers from office to ask His Majesty by whose advice a man so undeserving of the royal confidence had been employed. The most moderate and judicious Whigs pointed out the indecency and impolicy of interrogating the King, and of forcing him either to accuse his ministers or to quarrel with the representatives of his people. "Advise His Majesty, if you will," said Somers, "to withdraw his confidence from the counsellors who recommended this unfortunate appointment. Such advice, given, as we should probably give it, unanimously, must have great weight with him. But do not put to him a question such as no private gentleman would willingly answer. Do not force him, in defence of his own personal dignity, to protect the very men whom you wish him to discard." After a hard fight of two days, and several divisions, the address was carried by a hundred and ninety five votes to a hundred and forty six.* The King, as might have been foreseen, coldly refused to turn informer; and the House did not press him further.** To another address, which requested that a Commission might be sent to examine into the state of things in Ireland, William returned a very gracious answer, and desired the Commons to name the Commissioners. The Commons, not to be outdone in courtesy,

* Commons' Journals and Grey's Debates, November 26. and 27. 1689.
** Commons' Journals, November 28., December 2. 1689.

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excused themselves, and left it to His Majesty's wisdom to select the fittest persons.*

Reception of Walker in England.

In the midst of the angry debates on the Irish war a pleasing incident produced for a moment goodhumour and unanimity. Walker had arrived in London, and had been received there with boundless enthusiasm. His face was in every print shop. Newsletters describing his person and his demeanour were sent to every corner of the kingdom. Broadsides of prose and verse written in his praise were cried in every street. The Companies of London feasted him splendidly in their halls. The common people crowded to gaze on him wherever he moved, and almost stifled him with rough caresses. Both the Universities offered him the degree of Doctor of Divinity. Some of his admirers advised him to present himself at the palace in that military garb in which he had repeatedly headed the sallies of his fellow townsmen. But, with a better judgment than he sometimes showed, he made his appearance at Hampton Court in the peaceful robe of his profession, was most graciously received, and was presented with an order for five thousand pounds. "And do not think, Doctor," William said, with great benignity, "that I offer you this sum as payment for your services. I assure you that I consider your claims on me as not at all diminished."**

It is true that amidst the general applause the voice of detraction made itself heard. The defenders of Londonderry were men of two nations and of two religions. During the siege, hatred of the Irishry had held together all Saxons; and hatred of Popery had held together all Protestants. But, when

* Commons' Journals and Grey's Debates, November 30., December 2. 1689.

** London Gazette, September 2. 1689; Observations upon Mr. Walker's Account of the Siege of Londonderry, licensed October 4. 1689; Narcissus Luttrell's Diary; Mr. J. Mackenzie's Narrative a False Libel, a Defence of Mr. G. Walker written by his Friend in his Absence, 1690.

the danger was over, the Englishman and the Scotchman, the Episcopalian and the Presbyterian, began to wrangle about the distribution of praises and rewards. The dissenting preachers, who had zealously assisted Walker in the hour of peril, complained that, in the account which he published of the siege, he had, though acknowledging that they had done good service, omitted to mention their names. The complaint was just; and, had it been made in language becoming Christians and gentlemen, would probably have produced a considerable effect on the public mind. But Walker's accusers in their resentment disregarded truth and decency, used scurrilous language, brought calumnious accusations which were triumphantly refuted, and thus threw away the advantage which they had possessed. Walker defended himself with moderation and candour. His friends fought his battle with vigour, and retaliated keenly on his assailants. At Edinburgh perhaps the public opinion might have been against him. But in London the controversy seems only to have raised his character. He was regarded as an Anglican divine of eminent merit, who, after having heroically defended his religion against an army of Popish Rapparees, was rabbled by a mob of Scotch Covenanters.*

He presented to the Commons a petition setting forth the destitute condition to which the widows and orphans of some brave men who had fallen during the siege were now reduced. The Commons instantly passed a vote of thanks to him, and

* Walker's True Account, 1689: An Apology for the Failures charged on the True Account, 1689; Reflections on the Apology, 1689; A Vindication of the True Account by Walker, 1689; Mackenzie's Narrative, 1690; Mr. Mackenzie's Narrative a False Libel, 1690; Dr. Walker's Invisible Champion foyled by Mackenzie, 1690; Welwood's Mercurius Reformatus, Dec. 4. and 11. 1689. The Oxford editor of Burnet's History expresses his surprise at the silence which the Bishop observes about Walker. In the Burnet MS. Harl. 6584. there is an animated panegyric on Walker. Why that panegyric does not appear in the History, I am at a loss to explain.

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resolved to present to the King an address requesting that ten thousand pounds might be distributed among the families whose sufferings had been so touchingly described. The next day it was rumoured about the benches that Walker was in the lobby. He was called in. The Speaker, with great dignity and grace, informed him that the House had made haste to comply with his request, commended him in high terms for having taken on himself to govern and defend a city betrayed by its proper governors and defenders, and charged him to tell those who had fought under him that their fidelity and valour would always be held in grateful remembrance by the Commons of England.*

Edmund Ludlow.

About the same time the course of parliamentary business was diversified by another curious and interesting episode, which, like the former, sprang out of the events of the Irish war. In the preceding spring, when every messenger from Ireland brought evil tidings, and when the authority of James was acknowledged in every part of that kingdom, except behind the ramparts of Londonderry and on the banks of Lough Erne, it was natural that Englishmen should remember with how terrible an energy the great Puritan warriors of the preceding generation had crushed the insurrection of the Celtic race. The names of Cromwell, of Ireton, and of the other chiefs of the conquering army, were in many mouths. One of those chiefs, Edmund Ludlow, was still living. At twenty two he had served as a volunteer in the parliamentary army; at thirty he had risen to the rank of Lieutenant General. He was now old; but the vigour of his mind was unimpaired. His courage was of the truest temper; his understanding strong, but narrow. What he saw he saw clearly: but he saw not much at a glance. In an age of perfidy and levity, he had, amidst mani-

* Commons' Journals, November 18. and 19. 1689; and Grey's Debates.

fold temptations and dangers, adhered firmly to the principles of his youth. His enemies could not deny that his life had been consistent, and that with the same spirit with which he had stood up against the Stuarts he had stood up against the Cromwells. There was but a single blemish on his fame: but that blemish, in the opinion of the great majority of his countrymen, was one for which no merit could compensate and which no time could efface. His name and seal were on the death warrant of Charles the First.

After the Restoration, Ludlow found a refuge on the shores of the Lake of Geneva. He was accompanied thither by another member of the High Court of Justice, John Lisle, the husband of that Alice Lisle whose death has left a lasting stain on the memory of James the Second. But even in Switzerland the regicides were not safe. A large price was set on their heads; and a succession of Irish adventurers, inflamed by national and religious animosity, attempted to earn the bribe. Lisle fell by the hand of one of these assassins. But Ludlow escaped unhurt from all the machinations of his enemies. A small knot of vehement and determined Whigs regarded him with a veneration, which increased as years rolled away, and left him almost the only survivor, certainly the most illustrious survivor, of a mighty race of men, the conquerors in a terrible civil war, the judges of a king, the founders of a republic. More than once he had been invited by the enemies of the House of Stuart to leave his asylum, to become their captain, and to give the signal for rebellion: but he had wisely refused to take any part in the desperate enterprises which the Wildmans and Fergusons were never weary of planning.*

The Revolution opened a new prospect to him. The right of the people to resist oppression, a right which, during many years, no man could assert without exposing himself to ec-

* Wade's Confession, Harl. MS. 6845.

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clesiastical anathemas and to civil penalties, had been solemnly recognised by the Estates of the realm, and had been proclaimed by Garter King at Arms on the very spot where the memorable scaffold had been set up forty years before. James had not, indeed, like Charles, died the death of a traitor. Yet the punishment of the son might seem to differ from the punishment of the father rather in degree than in principle. Those who had recently waged war on a tyrant, who had turned him out of his palace, who had frightened him out of his country, who had deprived him of his crown, might perhaps think that the crime of going one step further had been sufficiently expiated by thirty years of banishment. Ludlow's admirers, some of whom appear to have been in high public situations, assured him that he might safely venture over, nay, that he might expect to be sent in high command to Ireland, where his name was still cherished by his old soldiers and by their children.* He came; and early in September it was known that he was in London.** But it soon appeared that he and his friends had misunderstood the temper of the English people. By all, except a small extreme section of the Whig party, the act, in which he had borne a part never to be forgotten, was regarded, not merely with the disapprobation due to a great violation of law and justice, but with horror such as even the Gunpowder Plot had not excited. The absurd and almost impious service which is still read in our churches on the thirtieth of January had produced in the minds of the vulgar a strange association of ideas. The sufferings of Charles were confounded with the sufferings of the Redeemer of mankind; and every regicide was a Judas, a Caiaphas or a Herod. It was

* See the Preface to the First Edition of his Memoirs, Vevay, 1698.

** "Colonel Ludlow, an old Oliverian, and one of King Charles the First his Judges, is arrived lately in this kingdom from Switzerland." — Narcissus Luttrell's Diary, September 1689.

true that, when Ludlow sate on the tribunal in Westminster Hall, he was an ardent enthusiast of twenty eight, and that he now returned from exile a greyheaded and wrinkled man in his seventieth year. Perhaps, therefore, if he had been content to live in close retirement, and to shun places of public resort, even zealous Royalists might not have grudged the old Republican a grave in his native soil. But he had no thought of hiding himself. It was soon rumoured that one of those murderers, who had brought on England guilt, for which she annually, in sackcloth and ashes, implored God not to enter into judgment with her, was strutting about the streets of her capital, and boasting that he should ere long command her armies. His lodgings, it was said, were the head quarters of the most noted enemies of monarchy and episcopacy.* The subject was brought before the House of Commons. The Tory members called loudly for justice on the traitor. None of the Whigs ventured to say a word in his defence. One or two faintly expressed a doubt whether the fact of his return had been proved by evidence such as would warrant a parliamentary proceeding. The objection was disregarded. It was resolved, without a division, that the King should be requested to issue a proclamation for the apprehending of Ludlow. Seymour presented the address; and the King promised to do what was asked. Some days however elapsed before the proclamation appeared.** Ludlow had time to make his escape, and again hid himself in his Alpine retreat, never again to emerge. English travellers are still taken to see his house close to the lake, and his tomb in a church among the vineyards which overlook the little town of Vevay. On the house was formerly legible an inscription purporting that to him to whom God is a father

* Third Caveat against the Whigs, 1712.

** Commons' Journals, November 6. and 8. 1689; Grey's Debates; London Gazette, November 18.

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every land is a fatherland*; and the epitaph on the tomb still attests the feelings with which the stern old Puritan to the last regarded the people of Ireland and the House of Stuart.

Violence of the Whigs.

Tories and Whigs had concurred, or had affected to concur, in paying honour to Walker and in putting a brand on Ludlow. But the feud between the two parties was more bitter than ever. The King had entertained a hope that, during the recess, the animosities which had in the preceding session prevented an Act of Indemnity from passing would have been mitigated. On the day on which the Houses reassembled, he had pressed them earnestly to put an end to the fear and discord which could never cease to exist, while great numbers held their property and their liberty, and not a few even their lives, by an uncertain tenure. His exhortation proved of no effect. October, November, December passed away; and nothing was done. An Indemnity Bill indeed had been brought in, and read once; but it had ever since lain neglected on the table of the House.** Vindictive as had been the mood in which the Whigs had left Westminster, the mood in which they returned was more vindictive still. Smarting from old sufferings, drunk with recent prosperity, burning with implacable resentment, confident of irresistible strength, they were not less rash and headstrong than in the days of the Exclusion Bill. Sixteen hundred and eighty was come again. Again all compromise was rejected. Again the voices of the wisest and most upright friends of liberty were drowned by the clamour of hotheaded and designing agitators. Again moderation was despised as cowardice, or execrated as treachery. All the lessons taught by a cruel experience were forgotten. The very

* "Omne solum forti patria, quia patris." See Addison's Travels. It is a remarkable circumstance that Addison, though a Whig, speaks of Ludlow in language which would better have become a Tory, and sneers at the inscription as cant.

** Commons' Journals, Nov. 1. 7. 1689.

same men who had expiated, by years of humiliation, of imprisonment, of penury, of exile, the folly with which they had misused the advantage given them by the Popish plot, now misused with equal folly the advantage given them by the Revolution. The second madness would, in all probability, like the first, have ended in their proscription, dispersion, decimation, but for the magnanimity and wisdom of that great prince, who, bent on fulfilling his mission, and insensible alike to flattery and to outrage, coldly and inflexibly saved them in their own despite. CHAP. XV. 1689.

It seemed that nothing but blood would satisfy them. The aspect and the temper of the House of Commons reminded men of the time of the ascendency of Oates; and, that nothing might be wanting to the resemblance, Oates himself was there. As a witness, indeed, he could now render no service: but he had caught the scent of carnage, and came to gloat on the butchery in which he could no longer take an active part. His loathsome features were again daily seen, and his well known "Ah Laard, ah Laard!" was again daily heard in the lobbies and in the gallery.* The House fell first on the renegades of the late reign. Of those renegades the Earls of Peterborough and Salisbury were the highest in rank, but were also the lowest in intellect: for Salisbury had always been an idiot; and Peterborough had long been a dotard. It was however resolved by the Commons that both had, by joining the Church of Rome, committed high treason, and that both should be impeached.** A message to that effect was sent to the Lords. Poor old Peterborough was instantly taken into custody, and was sent, tottering on a crutch, and wrapped up in woollen stuffs, to the Tower. The next day Salisbury was brought to the bar of his peers. He muttered something about his youth Impeachments.

* Roger North's Life of Dudley North.
** Commons' Journals, Oct. 26. 1689.

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and his foreign education, and was then sent to bear Peterborough company.* The Commons had meanwhile passed on to offenders of humbler station and better understanding. Sir Edward Hales was brought before them. He had doubtless, by holding office in defiance of the Test Act, incurred heavy penalties. But these penalties fell far short of what the revengeful spirit of the victorious party demanded; and he was committed as a traitor.** Then Obadiah Walker was led in. He behaved with a pusillanimity and disingenuousness which deprived him of all claim to respect or pity. He protested that he had never changed his religion, that his opinions had always been and still were those of some highly respectable divines of the Church of England, and that there were points on which he differed from the Papists. In spite of this quibbling, he was pronounced guilty of high treason, and sent to prison.*** Castlemaine was put next to the bar, interrogated, and committed under a warrant which charged him with the capital crime of trying to reconcile the kingdom to the Church of Rome.†

In the meantime the Lords had appointed a Committee to inquire who were answerable for the deaths of Russell, of Sidney, and of some other eminent Whigs. Of this Committee, which was popularly called the Murder Committee, the Earl of Stamford, a Whig who had been deeply concerned in the plots formed by his party against the Stuarts, was chairman.†† The books of the Council were inspected: the clerks of the Council were examined: some facts disgraceful to the Judges,

* Lords' Journals, October 26. and 27. 1689.

** Commons' Journals, Oct. 26. 1689.

*** Commons' Journals, Oct. 26. 1689; Wood's Athenæ Oxonienses; Dod's Church History, VIII. ii. 3.

† Commons' Journals, October 28. 1689. The proceedings will be found in the collection of State Trials.

†† Lords' Journals, Nov. 2. and 6. 1689.

to the Solicitors of the Treasury, to the witnesses for the Crown, and to the keepers of the state prisons, were elicited: but about the packing of the juries no evidence could be obtained. The Sheriffs kept their own counsel. Sir Dudley North, in particular, underwent a most severe cross examination with characteristic clearness of head and firmness of temper, and steadily asserted that he had never troubled himself about the political opinions of the persons whom he put on any panel, but had merely inquired whether they were substantial citizens. He was undoubtedly lying; and so some of the Whig peers told him in very plain words and in very loud tones: but, though they were morally certain of his guilt, they could find no proofs which would support a criminal charge against him. The indelible stain however remains on his memory, and is still a subject of lamentation to those who, while loathing his dishonesty and cruelty, cannot forget that he was one of the most original, profound and accurate thinkers of his age.*

Halifax, more fortunate than Dudley North, was completely cleared, not only from legal, but also from moral guilt. He was the chief object of attack; and yet a severe examination brought nothing to light that was not to his honour. Tillotson was called as a witness. He swore that he had been the channel of communication between Halifax and Russell when Russell was a prisoner in the Tower. "My Lord Halifax," said the Doctor, "showed a very compassionate concern for my Lord Russell; and my Lord Russell charged me with his last thanks for my Lord Halifax's humanity and kindness." It was proved that the unfortunate Duke of Monmouth had borne similar testimony to Halifax's good nature. One hostile witness indeed was produced, John Hampden, whose mean supplications and enormous bribes had saved his neck from the halter. He was now a powerful and prosperous man: he was a leader of the

Malevolence of John Hampden.

* Lords' Journals, Dec. 20. 1689; Life of Dudley North.

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dominant party in the House of Commons; and yet he was one of the most unhappy beings on the face of the earth. The recollection of the pitiable figure which he had made at the bar of the Old Bailey embittered his temper, and impelled him to avenge himself without mercy on those who had directly or indirectly contributed to his humiliation. Of all the Whigs he was the most intolerant and the most obstinately hostile to all plans of amnesty. The consciousness that he had disgraced himself made him jealous of his dignity and quick to take offence. He constantly paraded his services and his sufferings, as if he hoped that this ostentatious display would hide from others the stain which nothing could hide from himself. Having during many months harangued vehemently against Halifax in the House of Commons, he now came to swear against Halifax before the Lords. The scene was curious. The witness represented himself as having saved his country, as having planned the Revolution, as having placed their Majesties on the throne. He then gave evidence intended to show that his life had been endangered by the machinations of the Lord Privy Seal: but that evidence missed the mark at which it was aimed, and recoiled on him from whom it proceeded. Hampden was forced to acknowledge that he had sent his wife to implore the intercession of the man whom he was now persecuting. "Is it not strange," asked Halifax, "that you should have requested the good offices of one whose arts had brought your head into peril?" "Not at all," said Hampden; "to whom was I to apply except to the men who were in power? I applied to Lord Jeffreys: I applied to Father Petre; and I paid them six thousand pounds for their services." "But did Lord Halifax take any money?" "No: I cannot say that he did." "And, Mr. Hampden, did not you afterwards send your wife to thank him for his kindness?" "Yes: I believe I did," answered Hampden; "but I know of no solid effects of that kindness. If there

were any, I should be obliged to my Lord to tell me what they were." Disgraceful as had been the appearance which this degenerate heir of an illustrious name had made at the Old Bailey, the appearance which he made before the Committee of Murder was more disgraceful still.* It is pleasing to know that a person who had been far more cruelly wronged than he, but whose nature differed widely from his, the nobleminded Lady Russell, remonstrated against the injustice with which the extreme Whigs treated Halifax.**

The malice of John Hampden, however, was unwearied and unabashed. A few days later, in a committee of the whole House of Commons on the state of the nation, he made a bitter speech, in which he ascribed all the disasters of the year to the influence of the men who had, in the days of the Exclusion Bill, been censured by Parliaments, of the men who had attempted to mediate between James and William. The King, he said, ought to dismiss from his counsels and presence all the three noblemen who had been sent to negotiate with him at Hungerford. He went on to speak of the danger of employing men of republican principles. He doubtless alluded to the chief object of his implacable malignity. For Halifax, though from temper averse to violent changes, was well known to be in speculation a republican, and often talked, with much ingenuity and pleasantry, against hereditary monarchy. The only effect, however, of the reflection now thrown on him was to call forth a roar of derision. That a Hampden, that the grandson of the great leader of the Long Parliament, that a man who boasted of having conspired with Algernon Sidney against the royal House, should use the word republican as a term of re-

* The report is in the Lords' Journals, Dec. 20. 1689. Hampden's examination was on the 18th of November.

** This, I think, is clear from a letter of Lady Montague to Lady Russell, dated Dec. 23. 1689, three days after the Committee of Murder had reported.

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proach! When the storm of laughter had subsided, several members stood up to vindicate the accused statesmen. Seymour declared that, much as he disapproved of the manner in which the administration had lately been conducted, he could not concur in the vote which John Hampden had proposed. "Look where you will," he said, "to Ireland, to Scotland, to the navy, to the army, you will find abundant proofs of mismanagement. If the war is still to be conducted by the same hands, we can expect nothing but a recurrence of the same disasters. But I am not prepared to proscribe men for the best thing that they ever did in their lives, to proscribe men for attempting to avert a revolution by timely mediation." It was justly said by another speaker that Halifax and Nottingham had been sent to the Dutch camp because they possessed the confidence of the nation, because they were universally known to be hostile to the dispensing power, to the Popish religion, and to the French ascendency. It was at length resolved that the King should be requested in general terms to find out and to remove the authors of the late miscarriages.* A committee was appointed to prepare an Address. John Hampden was chairman, and drew up a representation in terms so bitter that, when it was reported to the House, his own father expressed disapprobation, and one member exclaimed: "This an address! It is a libel." After a sharp debate, the Address was recommitted, and was not again mentioned.**

Indeed, the animosity which a large part of the House had felt against Halifax was beginning to abate. It was known that, though he had not yet formally delivered up the Privy Seal, he had ceased to be a confidential adviser of the Crown. The power which he had enjoyed during the first months of the reign

* Commons' Journals, Dec. 14. 1689; Grey's Debates; Boyer's Life of William.

** Commons' Journals, Dec. 21.; Grey's Debates; Oldmixon.

of William and Mary had passed to the more daring, more unscrupulous and more practical Caermarthen, against whose influence Shrewsbury contended in vain. Personally Shrewsbury stood high in the royal favour: but he was a leader of the Whigs, and, like all leaders of parties, was frequently pushed forward against his will by those who seemed to follow him. He was himself inclined to a mild and moderate policy: but he had not sufficient firmness to withstand the clamorous importunity with which such politicians as John Howe and John Hampden demanded vengeance on their enemies. His advice had therefore, at this time, little weight with his master, who neither loved the Tories nor trusted them, but who was fully determined not to proscribe them.

Meanwhile the Whigs, conscious that they had lately sunk in the opinion both of the King and of the nation, resolved on making a bold and crafty attempt to become independent of both. A perfect account of that attempt cannot be constructed out of the scanty and widely dispersed materials which have come down to us. Yet the story, as it has come down to us, is both interesting and instructive.

The Corporation Bill.

A bill for restoring the rights of those corporations which had surrendered their charters to the Crown during the last two reigns had been brought into the House of Commons, had been received with general applause by men of all parties, had been read twice, and had been referred to a select committee, of which Somers was chairman. On the second of January Somers brought up the report. The attendance of Tories was scanty: for, as no important discussion was expected, many country gentlemen had left town, and were keeping a merry Christmas by the chimney fires of their manor houses. The muster of zealous Whigs was strong. As soon as the bill had been reported, Sacheverell, renowned in the stormy parliaments of the reign of Charles the Second as one of the ablest and keenest

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of the Exclusionists, stood up and moved to add a clause providing that every municipal functionary who had in any manner been a party to the surrendering of the franchises of a borough should be incapable for seven years of holding any office in that borough. The constitution of almost every corporate town in England had been remodelled during that hot fit of loyalty which followed the detection of the Rye House Plot; and, in almost every corporate town, the voice of the Tories had been for delivering up the charter, and for trusting every thing to the paternal care of the Sovereign. The effect of Sacheverell's clause, therefore, was to make some thousands of the most opulent and highly considered men in the kingdom incapable, during seven years, of bearing any part in the government of the places in which they resided, and to secure to the Whig party, during seven years, an overwhelming influence in borough elections.

The minority exclaimed against the gross injustice of passing, rapidly and by surprise, at a season when London was empty, a law of the highest importance, a law which retrospectively inflicted a severe penalty on many hundreds of respectable gentlemen, a law which would call forth the strongest passions in every town from Berwick to St. Ives, a law which must have a serious effect on the composition of the House itself. Common decency required at least an adjournment. An adjournment was moved: but the motion was rejected by a hundred and twenty seven votes to eighty nine. The question was then put that Sacheverell's clause should stand part of the bill, and was carried by a hundred and thirty three to sixty eight. Sir Robert Howard immediately moved that every person who, being under Sacheverell's clause disqualified for municipal office, should presume to take any such office, should forfeit five hundred pounds, and should be for life incapable of holding any public employment whatever. The Tories did not venture

to divide.* The rules of the House put it in the power of a minority to obstruct the progress of a bill; and this was assuredly one of the very rare occasions on which that power would have been with great propriety exerted. It does not appear however that the parliamentary tacticians of that age were aware of the extent to which a small number of members can, without violating any form, retard the course of business.

It was immediately resolved that the bill, enlarged by Sacheverell's and Howard's clauses, should be ingrossed. The most vehement Whigs were bent on finally passing it within forty eight hours. The Lords, indeed, were not likely to regard it very favourably. But it should seem that some desperate men were prepared to withhold the supplies till it should pass, nay, even to tack it to the bill of supply, and thus to place the Upper House under the necessity of either consenting to a vast proscription of the Tories or refusing to the government the means of carrying on the war.** There were Whigs, however, honest enough to wish that fair play should be given to the hostile party, and prudent enough to know that an advantage obtained by violence and cunning could not be permanent. These men insisted that at least a week should be suffered to elapse before the third reading, and carried their point. Their less scrupulous associates complained bitterly that the good cause was betrayed. What new laws of war were these? Why was chivalrous courtesy to be shown to foes who thought no stratagem immoral, and who had never given

* Commons' Journals, Jan. 2. $16\frac{8}{9}$.

** Thus, I think, must be understood some remarkable words in a letter written by William to Portland, on the day after Sacheverell's bold and unexpected move. William calculates the amount of the supplies, and then says: "S'ils n'y mettent des conditions que vous savez, c'est une bonne affaire: mais les Wigges sont si glorieux d'avoir vaincu qu'ils entreprendront tout."

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quarter? And what had been done that was not in strict accordance with the law of Parliament? That law knew nothing of short notices and long notices, of thin houses and full houses. It was the business of a representative of the people to be in his place. If he chose to shoot and guzzle at his country seat when important business was under consideration at Westminster, what right had he to murmur because more upright and laborious servants of the public passed, in his absence, a bill which appeared to them necessary to the public safety? As however a postponement of a few days appeared to be inevitable, those who had intended to gain the victory by stealing a march now disclaimed that intention. They solemnly assured the King, who could not help showing some displeasure at their conduct, and who felt much more displeasure than he showed, that they had owed nothing to surprise, and that they were quite certain of a majority in the fullest house. Sacheverell is said to have declared with great warmth that he would stake his seat on the issue, and that if he found himself mistaken he would never show his face in Parliament again. Indeed, the general opinion at first was that the Whigs would win the day. But it soon became clear that the fight would be a hard one. The mails had carried out along all the high roads the tidings that, on the second of January, the Commons had agreed to a retrospective penal law against the whole Tory party, and that, on the tenth, that law would be considered for the last time. The whole kingdom was moved from Northumberland to Cornwall. A hundred knights and squires left their halls hung with mistletoe and holly, and their boards groaning with brawn and plum porridge, and rode up post to town, cursing the short days, the cold weather, the miry roads and the villanous Whigs. The Whigs, too, brought up reinforcements, but not to the same extent; for the clauses were generally unpopular, and not without good cause. Assuredly no reasonable man of any party

will deny that the Tories, in surrendering to the Crown all the municipal franchises of the realm, and, with those franchises, the power of altering the constitution of the House of Commons, committed a great fault. But in that fault the nation itself had been an accomplice. If the Mayors and Aldermen whom it was now proposed to punish had, when the tide of loyal enthusiasm ran high, sturdily refused to comply with the wish of their Sovereign, they would have been pointed at in the street as Roundhead knaves, preached at by the Rector, lampooned in ballads, and probably burned in effigy before their own doors. That a community should be hurried into errors alternately by fear of tyranny and by fear of anarchy is doubtless a great evil. But the remedy for that evil is not to punish for such errors some persons who have merely erred with the rest, and who have since repented with the rest. Nor ought it to have been forgotten that the offenders against whom Sacheverell's clause was directed had, in 1688, made large atonement for the misconduct of which they had been guilty in 1683. They had, as a class, stood up firmly against the dispensing power; and most of them had actually been turned out of their municipal offices by James for refusing to support his policy. It is not strange therefore that the attempt to inflict on all these men without exception a degrading punishment should have raised such a storm of public indignation as many Whig members of parliament were unwilling to face.

As the decisive conflict drew near, and as the muster of the Tories became hourly stronger and stronger, the uneasiness of Sacheverell and of his confederates increased. They found that they could hardly hope for a complete victory. They must make some concession. They must propose to recommit the bill. They must declare themselves willing to consider whether any distinction could be made between the chief offenders and the multitudes who had been misled by evil example. But as the spirit

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of one party fell the spirit of the other rose. The Tories, glowing with resentment which was but too just, were resolved to listen to no terms of compromise.

The tenth of January came; and, before the late daybreak of that season, the House was crowded. More than a hundred and sixty members had come up to town within a week. From dawn till the candles had burned down to their sockets the ranks kept unbroken order; and few members left their seats except for a minute to take a crust of bread or a glass of claret. Messengers were in waiting to carry the result to Kensington, where William, though shaken by a violent cough, sate up till midnight, anxiously expecting the news, and writing to Portland, whom he had sent on an important mission to the Hague.

The only remaining account of the debate is defective and confused. But from that account it appears that the excitement was great. Sharp things were said. One young Whig member used language so hot that he was in danger of being called to the bar. Some reflections were thrown on the Speaker for allowing too much licence to his own friends. But in truth it mattered little whether he called transgressors to order or not. The House had long been quite unmanageable; and veteran members bitterly regretted the old gravity of debate and the old authority of the chair.* That Somers disapproved of the violence of the party to which he belonged may be inferred, both from the whole course of his public life, and from the very significant fact that, though he had charge of the Corporation Bill, he did not move the penal clauses, but left that ungracious office to men more impetuous and less sagacious than himself. He did not however abandon his allies in this emergency,

* "The authority of the chair, the awe and reverence to order, and the due method of debates being irrecoverably lost by the disorder and tumultuousness of the House." — Sir J. Trevor to the King, Appendix to Dalrymple's Memoirs, Part ii. Book 4.

but spoke for them, and tried to make the best of a very bad case. The House divided several times. On the first division a hundred and seventy four voted with Sacheverell, a hundred and seventy nine against him. Still the battle was stubbornly kept up; but the majority increased from five to ten, from ten to twelve, and from twelve to eighteen. Then at length, after a stormy sitting of fourteen hours, the Whigs yielded. It was near midnight when, to the unspeakable joy and triumph of the Tories, the clerk tore away from the parchment on which the bill had been engrossed the odious clauses of Sacheverell and Howard.*

Debates on the Indemnity Bill.

Emboldened by this great victory, the Tories made an attempt to push forward the Indemnity Bill which had lain many weeks neglected on the table.** But the Whigs, notwithstand-

* Commons' Journals, Jan. 10. 16$\frac{8}{9}$. I have done my best to frame an account of this contest out of very defective materials. Burnet's narrative contains more blunders than lines. He evidently trusted to his memory, and was completely deceived by it. My chief authorities are the Journals; Grey's Debates; William's Letters to Portland; the Despatches of Van Citters; a Letter concerning the Disabling Clauses, lately offered to the House of Commons, for regulating Corporations, 1690; The True Friends to Corporations vindicated, in an answer to a letter concerning the Disabling Clauses, 1690; and Some Queries concerning the Election of Members for the ensuing Parliament, 1690. To this last pamphlet is appended a list of those who voted for the Sacheverell Clause. See also Clarendon's Diary, Jan. 10. 16$\frac{8}{9}$, and the Third Part of the Caveat against the Whigs, 1712. William's Letter of the 10th of January ends thus. The news of the first division only had reached Kensington. "Il est à présent onze eures de nuit, et à dix eures la Chambre Basse estoit encore ensemble. Ainsi je ne vous puis escrire par cette ordinaire l'issue de l'affaire. Les previos questions les Tories l'ont emporté de cinq vois. Ainsi vous pouvez voir que la chose est bien disputée. J'ay si grand somiel, et mon toux m'incomode que je ne vous en saurez dire d'avantage. Jusques à mourir à vous."

On the same night Van Citters wrote to the States General. The debate, he said, had been very sharp. The design of the Whigs, whom he calls the Presbyterians, had been nothing less than to exclude their opponents from all offices, and to obtain for themselves the exclusive possession of power.

** Commons' Journals, Jan. 11. 16$\frac{8}{9}$.

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ing their recent defeat, were still the majority of the House; and many members, who had shrunk from the unpopularity which they would have incurred by supporting the Sacheverell clause and the Howard clause, were perfectly willing to assist in retarding the general pardon. They still propounded their favourite dilemma. How, they asked, was it possible to defend this project of amnesty without condemning the Revolution? Could it be contended that crimes which had been grave enough to justify resistance had not been grave enough to deserve punishment? And, if those crimes were of such magnitude that they could justly be visited on the Sovereign whom the Constitution had exempted from responsibility, on what principle was immunity to be granted to his advisers and tools, who were beyond all doubt responsible? One facetious member put this argument in a singular form. He contrived to place in the Speaker's chair a paper which, when examined, appeared to be a Bill of Indemnity for King James, with a sneering preamble about the mercy which had, since the Revolution, been extended to more heinous offenders, and about the indulgence due to a King, who, in oppressing his people, had only acted after the fashion of all Kings.*

On the same day on which this mock Bill of Indemnity disturbed the gravity of the Commons, it was moved that the House should go into Committee on the real Bill. The Whigs threw the motion out by a hundred and ninety three votes to a hundred and fifty six. They then proceeded to resolve that a bill of pains and penalties against delinquents should be forthwith brought in, and engrafted on the Bill of Indemnity.**

Case of Sir Robert Sawyer.

A few hours later a vote passed that showed more clearly than any thing that had yet taken place how little chance there

* Narcissus Luttrell's Diary. Jan. 16. 1690; Van Citters to the States General, Jan. $\frac{26}{16}$.

** Commons' Journals, Jan. 16. $16\frac{89}{90}$.

was that the public mind would be speedily quieted by an amnesty. Few persons stood higher in the estimation of the Tory party than Sir Robert Sawyer. He was a man of ample fortune and aristocratical connections, of orthodox opinions and regular life, an able and experienced lawyer, a well read scholar, and, in spite of a little pomposity, a good speaker. He had been Attorney General at the time of the detection of the Rye House Plot: he had been employed for the Crown in the prosecutions which followed; and he had conducted those prosecutions with an eagerness which would, in our time, be called cruelty by all parties, but which, in his own time, and to his own party, seemed to be merely laudable zeal. His friends indeed asserted that he was conscientious even to scrupulosity in matters of life and death:* but this is an eulogy which persons who bring the feelings of the nineteenth century to the study of the State Trials of the seventeenth century will have some difficulty in understanding. The best excuse which can be made for this part of his life is that the stain of innocent blood was common to him with almost all the eminent public men of those evil days. When we blame him for prosecuting Russell, we must not forget that Russell had prosecuted Stafford.

Great as Sawyer's offences were, he had made great atonement for them. He had stood up manfully against Popery and despotism: he had, in the very presence chamber, positively refused to draw warrants in contravention of Acts of Parliament: he had resigned his lucrative office rather than appear in Westminster Hall as the champion of the dispensing power: he had been the leading counsel for the seven Bishops; and he had, on the day of their trial, done his duty ably, honestly, and fearlessly. He was therefore a favourite with High Churchmen, and might be thought to have fairly earned his pardon

* Roger North's Life of Guildford.

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from the Whigs. But the Whigs were not in a pardoning mood; and Sawyer was now called to account for his conduct in the case of Sir Thomas Armstrong.

If Armstrong was not belied, he was deep in the worst secrets of the Rye House Plot, and was one of those who undertook to slay the two royal brothers. When the conspiracy was discovered, he fled to the Continent and was outlawed. The magistrates of Leyden were induced by a bribe to deliver him up. He was hurried on board of an English ship, carried to London, and brought before the King's Bench. Sawyer moved the Court to award execution on the outlawry. Armstrong represented that a year had not yet elapsed since he had been outlawed, and that, by an Act passed in the reign of Edward the Sixth, an outlaw who yielded himself within the year was entitled to plead Not Guilty, and to put himself on his country. To this it was answered that Armstrong had not yielded himself, that he had been dragged to the bar a prisoner, and that he had no right to claim a privilege which was evidently meant to be given only to persons who voluntarily rendered themselves up to public justice. Jeffreys and the other judges unanimously overruled Armstrong's objection, and granted the award of execution. Then followed one of the most terrible of the many terrible scenes which, in those times, disgraced our Courts. The daughter of the unhappy man was at his side. "My Lord," she cried out, "you will not murder my father. This is murdering a man." "How now?" roared the Chief Justice. "Who is this woman? Take her, Marshal. Take her away." She was forced out, crying as she went, "God Almighty's judgments light on you!" "God Almighty's judgment," said Jeffreys, "will light on traitors. Thank God, I am clamour proof." When she was gone, her father again insisted on what he conceived to be his right. "I ask," he said, "only the benefit of the law." "And, by the grace of God,

you shall have it," said the judge. "Mr. Sheriff, see that execution be done on Friday next. There is the benefit of the law for you." On the following Friday, Armstrong was hanged, drawn and quartered; and his head was placed over Westminster Hall.*

The insolence and cruelty of Jeffreys excite, even at the distance of so many years, an indignation which makes it dificult to be just to him. Yet a perfectly dispassionate inquirer may perhaps think it by no means clear that the award of execution was illegal. There was no precedent; and the words of the Act of Edward the Sixth may, without any straining, be construed as the Court construed them. Indeed, had the penalty been only fine or imprisonment, nobody would have seen any thing reprehensible in the proceeding. But to send a man to the gallows as a traitor, without confronting him with his accusers, without hearing his defence, solely because a timidity which is perfectly compatible with innocence has impelled him to hide himself, is surely a violation, if not of any written law, yet of those great principles to which all laws ought to conform. The case was brought before the House of Commons. The orphan daughter of Armstrong came to the bar to demand vengeance; and a warm debate followed. Sawyer was fiercely attacked and strenuously defended. The Tories declared that he appeared to them to have done only what, as counsel for the Crown, he was bound to do, and to have discharged his duty to God, to the King, and to the prisoner. If the award was legal, nobody was to blame; and, if the award was illegal, the blame lay, not with the Attorney General, but with the Judges. There would be an end of all liberty of speech at the bar, if an advocate was to be punished for making a strictly regular application to a Court, and for arguing that certain words in a statute were to be understood

* See the account of the proceedings in the collection of State Trials.

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in a certain sense. The Whigs called Sawyer murderer, bloodhound, hangman. If the liberty of speech claimed by advocates meant the liberty of haranguing men to death, it was high time that the nation should rise up and exterminate the whole race of lawyers. "Things will never be well done," said one orator, "till some of that profession be made examples." "No crime to demand execution!" exclaimed John Hampden. "We shall be told next that it was no crime in the Jews to cry out 'Crucify him.'" A wise and just man would probably have been of opinion that this was not a case for severity. Sawyer's conduct might have been, to a certain extent, culpable: but, if an Act of Indemnity was to be passed at all, it was to be passed for the benefit of persons whose conduct had been culpable. The question was not whether he was guiltless, but whether his guilt was of so peculiarly black a dye that he ought, notwithstanding all his sacrifices and services, to be excluded by name from the mercy which was to be granted to many thousands of offenders. This question calm and impartial judges would probably have decided in his favour. It was, however, resolved that he should be excepted from the Indemnity, and expelled from the House.*

On the morrow the Bill of Indemnity, now transformed into a Bill of Pains and Penalties, was again discussed. The Whigs consented to refer it to a Committee of the whole House, but proposed to instruct the Committee to begin its labours by making out a list of the offenders who were to be proscribed. The Tories moved the previous question. The House divided; and the Whigs carried their point by a hundred and ninety votes to a hundred and seventy three.**

* Commons' Journals, Jan. 20. $16\frac{91}{92}$; Grey's Debates, Jan. 18. and 20.

** Commons' Journals, Jan. 21. $16\frac{91}{92}$. On the same day William wrote thus from Kensington to Portland: "C'est aujourd'hui le grand jour à l'éguard du Bill of Indemnité. Selon tout ce que je puis aprendre, il y aura beaucoup de chaleur, et rien déterminer; et de la manière que la chose est

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The King watched these events with painful anxiety. He was weary of his crown. He had tried to do justice to both the contending parties; but justice would satisfy neither. The Tories hated him for protecting the Dissenters. The Whigs hated him for protecting the Tories. The amnesty seemed to be more remote than when, ten months before, he first recommended it from the throne. The last campaign in Ireland had been disastrous. It might well be that the next campaign would be more disastrous still. The malpractices, which had done more than the exhalations of the marshes of Dundalk to destroy the efficiency of the English troops, were likely to be as monstrous as ever. Every part of the administration was thoroughly disorganized; and the people were surprised and angry because a foreigner, newly come among them, imperfectly acquainted with them, and constantly thwarted by them, had not, in a year, put the whole machine of government to rights. Most of his ministers, instead of assisting him, were trying to get up addresses and impeachments against each other. Yet if he employed his own countrymen, on whose fidelity and attachment he could rely, a general cry of rage was set up by all the English factions. The knavery of the English Commissariat had destroyed an army: yet a rumour that he intended to employ an able, experienced, and trusty Commissary from Holland had excited general discontent. The King felt that he could not, while thus situated, render any service to that great cause to which his whole soul was devoted. Already the glory which he had won by conducting to a successful issue the most important enterprise of that age was becoming dim. Even his friends had begun to doubt whether he really

The King purposes to retire to Holland.

entourré, il n'y a point d'aparence que cette affaire viene à aucune conclusion. Et ainsi il se pouroit que la cession fust fort courte; n'ayant plus d'argent à espérer; et les esprits s'aigrissent l'un contre l'autre de plus en plus." Three days later Van Citters informed the States General that the excitement about the Bill of Indemnity was extreme.

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possessed all that sagacity and energy which had a few months before extorted the unwilling admiration of his enemies. But he would endure his splendid slavery no longer. He would return to his native country. He would content himself with being the first citizen of a commonwealth to which the name of Orange was dear. As such, he might still be foremost among those who were banded together in defence of the liberties of Europe. As for the turbulent and ungrateful islanders, who detested him because he would not let them tear each other in pieces, Mary must try what she could do with them. She was born on their soil. She spoke their language. She did not dislike some parts of their Liturgy, which they fancied to be essential, and which to him seemed at best harmless. If she had little knowledge of politics and war, she had what might be more useful, feminine grace and tact, a sweet temper, a smile and a kind word for every body. She might be able to compose the disputes which distracted the State and the Church. Holland, under his government, and England under hers, might act cordially together against the common enemy.

He is induced to change his intention.

He secretly ordered preparations to be made for his voyage. Having done this, he called together a few of his chief counsellors, and told them his purpose. A squadron, he said, was ready to convey him to his country. He had done with them. He hoped that the Queen would be more successful. The ministers were thunderstruck. For once all quarrels were suspended. The Tory Caermarthen on one side, the Whig Shrewsbury on the other, expostulated and implored with a pathetic vehemence rare in the conferences of statesmen. Many tears were shed. At length the King was induced to give up, at least for the present, his design of abdicating the government. But he announced another design which he was fully determined not to give up. Since he was still to remain at the head of the English administration, he would go himself

to Ireland. He would try whether the whole royal authority, strenuously exerted on the spot where the fate of the empire was to be decided, would suffice to prevent peculation and to maintain discipline.*

The Whigs oppose his going to Ireland.

That he had seriously meditated a retreat to Holland long continued to be a secret, not only to the multitude, but even to the Queen.** That he had resolved to take the command of his army in Ireland was soon rumoured all over London. It was known that his camp furniture was making, and that Sir Christopher Wren was busied in constructing a house of wood which was to travel about, packed in two waggons, and to be set up wherever His Majesty might fix his quarters.*** The Whigs raised a violent outcry against the whole scheme. Not knowing, or affecting not to know, that it had been formed by William and by William alone, and that none of his ministers had dared to advise him to encounter the Irish swords and the Irish atmosphere, the whole party confidently affirmed that it had been suggested by some traitor in the cabinet, by some Tory who hated the Revolution and all that had sprung from the Revolution. Would any true friend have advised His Majesty, infirm in health as he was, to expose himself, not only to the dangers of war, but to the malignity of a climate which had recently been fatal to thousands of men much stronger than himself? In private the King sneered bitterly at this anxiety for his safety. It was merely, in his judgment, the anxiety which a hard master feels lest his slaves should become unfit for their drudgery. The Whigs, he wrote to Portland, were afraid to lose their tool before they had done their work. "As to their friendship," he added, "you know what it is

* Burnet, ii. 39.; MS. Memoir written by the first Lord Lonsdale in the Mackintosh Papers.

** Burnet, ii. 40.

*** Narcissus Luttrell's Diary, January and February.

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worth." His resolution, he told his friend, was unalterably fixed. Every thing was at stake; and go he must, even though the Parliament should present an address imploring him to stay.*

He prorogues the Parliament.

He soon learned that such an address would be immediately moved in both Houses and supported by the whole strength of the Whig party. This intelligence satisfied him that it was time to take a decisive step. He would not discard the Whigs: but he would give them a lesson of which they stood much in need. He would break the chain in which they imagined that they had him fast. He would not let them have the exclusive possession of power. He would not let them persecute the vanquished party. In their despite, he would grant an amnesty to his people. In their despite, he would take the command of his army in Ireland. He arranged his plan with characteristic prudence, firmness, and secresy. A single Englishman it was necessary to trust: for William was not sufficiently master of our language to address the Houses from the throne in his own words; and, on very important occasions, his practice was to write his speech in French, and to employ a translator. It is certain that to one person, and to one only, the King

* William to Portland, Jan. $\frac{1}{11}$. 1690. "Les Wiges ont peur de me perdre trop tost, avant qu'ils n'ayent fait avec moy ce qu'ils veulent: car, pour leur amitié, vous savez ce qu'il y a à compter là dessus en ce pays icy."

Jan. $\frac{1}{11}$. "Me voilà le plus embarassé du monde, ne sachant quel parti prendre, estant toujours persuadé que, sans que j'aille en Irlande, l'on n'y faira rien qui vaille. Pour avoir du conseil en cette affaire, je n'en ay point à attendre, personne n'ausant dire ses sentimens. Et l'on commence déjà à dire ouvertement que ce sont des traitres qui m'ont conseillé de prendre cette résolution."

Jan. $\frac{21}{31}$. "Je n'ay encore rien dit," — he means to the Parliament, — "de mon voyage pour l'Irlande. Et je ne suis point encore déterminé si j'en parlerez: mais je crains que nonobstant j'aurez une adresse pour n'y point aller; ce qui m'embarassera beaucoup, puis que c'est une nécessité absolue que j'y aille."

confided the momentous resolution which he had taken; and it can hardly be doubted that this person was Caermarthen. CHAP. XV. 1690.

On the twenty seventh of January, Black Rod knocked at the door of the Commons. The Speaker and the members repaired to the House of Lords. The King was on the throne. He gave his assent to the Supply Bill, thanked the Houses for it, announced his intention of going to Ireland, and prorogued the Parliament. None could doubt that a dissolution would speedily follow. As the concluding words, "I have thought it convenient now to put an end to this session," were uttered, the Tories, both above and below the bar, broke forth into a shout of joy. The King meanwhile surveyed his audience from the throne with that bright eagle eye which nothing escaped. He might be pardoned if he felt some little vindictive pleasure in annoying those who had cruelly annoyed him. "I saw," he wrote to Portland the next day, "faces an ell long. I saw some of those men change colour with vexation twenty times while I was speaking."*

Joy of the Tories.

A few hours after the prorogation, a hundred and fifty Tory members of Parliament had a parting dinner together at the Apollo Tavern in Fleet Street, before they set out for their counties. They were in better temper with William than they had been since his father in law had been turned out of Whitehall. They had scarcely recovered from the joyful surprise with which they had heard it announced from the throne that the

* William to Portland, $\frac{\text{Jan. 28.}}{\text{Feb. 7.}}$ 1690; Van Citters to the States General, same date; Evelyn's Diary; Lords' Journals, Jan. 27. I will quote William's own words. "Vous vairez mon harangue imprimée: ainsi je ne vous en direz rien. Et pour les raisons qui m'y ont obligé, je les reserverez à vous les dire jusques à vostre retour. Il semble que les Toris en sont bien aise, mais point les Wiggs. Ils estoient tous fort surpris quand je leur parlois, n'ayant communiqué mon dessin qu'à une seule personne. Je vis des visages long comme un aune, changé de couleur vingt fois pendant que je parlois. Tous ces particularités jusques à vostre heureux retour."

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session was at an end. The recollection of their danger and the sense of their deliverance were still fresh. They talked of repairing to Court in a body to testify their gratitude: but they were induced to forego their intention; and not without cause: for a great crowd of squires after a revel, at which doubtless neither October nor claret had been spared, might have caused some inconvenience in the presence chamber. Sir John Lowther, who in wealth and influence was inferior to no country gentleman of that age, was deputed to carry the thanks of the assembly to the palace. He spoke, he told the King, the sense of a great body of honest gentlemen. They begged His Majesty to be assured that they would in their counties do their best to serve him; and they cordially wished him a safe voyage to Ireland, a complete victory, a speedy return, and a long and happy reign. During the following week, many, who had never shown their faces in the circle at Saint James's since the Revolution, went to kiss the King's hand. So warmly indeed did those who had hitherto been regarded as half Jacobites express their approbation of the policy of the government that the thoroughgoing Jacobites were much disgusted, and complained bitterly of the strange blindness which seemed to have come on the sons of the Church of England.*

All the acts of William, at this time, indicated his determination to restrain, steadily though gently, the violence of the Whigs, and to conciliate, if possible, the good will of the Tories. Several persons whom the Commons had thrown into prison for treason were set at liberty on bail.** The prelates who held that their allegiance was still due to James were treated with a tenderness rare in the history of revolutions.

* Evelyn's Diary; Clarendon's Diary, Feb. 9. 1690; Van Citters to the States General, $\frac{\text{Jan. 31.}}{\text{Feb. 10.}}$; Lonsdale MS. quoted by Dalrymple.

** Narcissus Luttrell's Diary.

Within a week after the prorogation, the first of February came, the day on which those ecclesiastics who refused to take the oath were to be finally deprived. Several of the suspended clergy, after holding out till the last moment, swore just in time to save themselves from beggary. But the Primate and five of his suffragans were still inflexible. They consequently forfeited their bishoprics; but Sancroft was informed that the King had not yet relinquished the hope of being able to make some arrangement which might avert the necessity of appointing successors, and that the nonjuring prelates might continue for the present to reside in their palaces. Their receivers were appointed receivers for the Crown, and continued to collect the revenues of the vacant sees.* Similar indulgence was shown to some divines of lower rank. Sherlock, in particular, continued, after his deprivation, to live unmolested in his official mansion close to the Temple Church.

Dissolution and general election.

And now appeared a proclamation dissolving the Parliament. The writs for a general election went out; and soon every part of the kingdom was in a ferment. Van Citters, who had resided in England during many eventful years, declared that he had never seen London more violently agitated.** The excitement was kept up by compositions of all sorts, from sermons with sixteen heads down to jingling street ballads. Lists of divisions were, for the first time in our history, printed and dispersed for the information of constituent bodies. Two of these lists may still be seen in old libraries. One of the two, circulated by the Whigs, contained the names of those Tories who had voted against declaring the throne vacant. The other, circulated by the Tories, contained the names of those Whigs who had supported the Sacheverell clause.

It soon became clear that public feeling had undergone a

* Clarendon's Diary, Feb. 11. 1690.

** Van Citters to the States General, February $\frac{1}{11}$. 1690; Evelyn's Diary.

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great change during the year which had elapsed since the Convention had met; and it is impossible to deny that this change was, at least in part, the natural consequence and the just punishment of the intemperate and vindictive conduct of the Whigs. Of the city of London they thought themselves sure. The Livery had in the preceding year returned four zealous Whigs without a contest. But all the four had voted for the Sacheverell clause; and by that clause many of the merchant princes of Lombard Street and Cornhill, men powerful in the twelve great companies, men whom the goldsmiths followed humbly, hat in hand, up and down the arcades of the Royal Exchange, would have been turned with all indignity out of the Court of Aldermen and out of the Common Council. The struggle was for life or death. No exertions, no artifices, were spared. William wrote to Portland that the Whigs of the City, in their despair, stuck at nothing, and that, as they went on, they would soon stand as much in need of an Act of Indemnity as the Tories. Four Tories however were returned, and that by so decisive a majority, that the Tory who stood lowest polled four hundred votes more than the Whig who stood highest.* The Sheriffs, desiring to defer as long as possible the triumph of their enemies, granted a scrutiny. But, though the majority was diminished, the result was not affected.** At Westminster, two opponents of the Sacheverell clause were elected without a contest.*** But nothing indicated more strongly the disgust excited by the proceedings of the late House of Commons than what passed in the University of Cambridge. Newton retired to his quiet observatory over the gate of Trinity College. Two Tories were returned by an overwhelm-

* William to Portland, $\frac{\text{Feb. 28.}}{\text{March 10.}}$ 1690; Van Citters to the States General, March $\frac{4}{14}$.; Narcissus Luttrell's Diary.

** Van Citters, March $\frac{1}{11}$. $16\frac{3}{13}$; Narcissus Luttrell's Diary.

*** Van Citters to the States General, March $\frac{1}{11}$. 1690.

ing majority. At the head of the poll was Sawyer, who had, but a few days before, been excepted from the Indemnity Bill and expelled from the House of Commons. The records of the University contain curious proofs that the unwise severity with which he had been treated had raised an enthusiastic feeling in his favour. Newton voted for Sawyer; and this remarkable fact justifies us in believing that the great philosopher, in whose genius and virtue the Whig party justly glories, had seen the headstrong and revengeful conduct of that party with concern and disapprobation.*

It was soon plain that the Tories would have a majority in the new House of Commons.** All the leading Whigs however obtained seats, with one exception. John Hampden was excluded, and was regretted only by the most intolerant and unreasonable members of his party.***

Changes in the executive departments.

The King meanwhile was making, in almost every department of the executive government, a change corresponding to

* The votes were for Sawyer 165, for Finch 141, for Bennet, whom I suppose to have been a Whig, 87. At the University every voter delivers his vote in writing. One of the votes given on this occasion is in the following words, "Henricus Jenkes, ex amore justitiæ, eligit virum consultissimum Robertum Sawyer."

** Van Citters to the States General, March $\frac{1}{2}\frac{3}{3}$. 1690.

*** It is amusing to see how absurdly foreign pamphleteers, ignorant of the real state of things in England, exaggerated the importance of John Hampden, whose name they could not spell. In a French Dialogue between William and the Ghost of Monmouth, William says, "Entre ces membres de la Chambre Basse étoit un certain homme hardy, opiniâtre, et zélé à l'excès pour sa créance; on l'appelle Embden, également dangereux par son esprit et par son crédit. . . . Je ne trouvay point de chemin plus court pour me délivrer de cette traverse que de casser le parlement, en convoquer un autre, et empescher que cet homme, qui me faisoit tant d'ombrages, ne fust nommé pour un des deputez au nouvel parlement." "Ainsi," says the Ghost, "cette cassation de parlement qui a fait tant de bruit, et a produit tant de raisonnemens et de spéculations, n'estoit que pour exclure Embden. Mais s'il estoit si adroit et si zélé, comment as-tu pu trouver le moyen de le faire exclure du nombre des deputez?" To this very sensible question the King answers, "Il m'a fallu faire d'étranges manœuvres pour en venir à bout." — L'Ombre de Monmouth, 1690.

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the change which the general election was making in the composition of the legislature. Still, however, he did not think of forming what is now called a ministry. He still reserved to himself more especially the direction of foreign affairs; and he superintended with minute attention all the preparations for the approaching campaign in Ireland. In his confidential letters he complained that he had to perform, with little or no assistance, the task of organizing the disorganized military establishments of the kingdom. The work, he said, was heavy; but it must be done; for everything depended on it.* In general, the government was still a government by independent departments; and in almost every department Whigs and Tories were still mingled, though not exactly in the old proportions. The Whig element had decidedly predominated in 1689. The Tory element predominated, though not very decidedly, in 1690.

Halifax had laid down the Privy Seal. It was offered to Chesterfield, a Tory who had voted in the Convention for a Regency. But Chesterfield refused to quit his country house and gardens in Derbyshire for the Court and the Council Chamber; and the Privy Seal was put into Commission.** Caermarthen was now the chief adviser of the Crown on all matters relating to the internal administration and to the management of the two Houses of Parliament. The white staff, and the immense power which accompanied the white staff, William was still determined never to entrust to any subject. Caermarthen therefore continued to be Lord Pre-

Caermarthen chief minister.

* "A présent tout dépendra d'un bon succès en Irlande; et à quoy il faut que je m'aplique entièrement pour régler le mieux que je puis toutte chose. . . . . Je vous asseure que je n'ay pas peu sur les bras, estant aussi mal assisté que je suis." — William to Portland, $\frac{\text{Jan. 28.}}{\text{Feb. 7.}}$ 1690.

** Van Citters, Feb. $\frac{4}{14}$. $16\frac{83}{90}$; Memoir of the Earl of Chesterfield, by himself; Halifax to Chesterfield, Feb. 6.; Chesterfield to Halifax, Feb. 8. The editor of the letters of the second Earl of Chesterfield, not allowing for the change of style, has misplaced this correspondence by a year.

sident; but he took possession of a suite of apartments in Saint James's Palace which was considered as peculiarly belonging to the Prime Minister.* He had, during the preceding year, pleaded ill health as an excuse for seldom appearing at the Council Board; and the plea was not without foundation: for his digestive organs had some morbid peculiarities which puzzled the whole College of Physicians: his complexion was livid: his frame was meagre; and his face, handsome and intellectual as it was, had a haggard look which indicated the restlessness of pain as well as the restlessness of ambition.** As soon, however, as he was once more minister, he applied himself strenuously to business, and toiled, every day, and all day long, with an energy which amazed every body who saw his ghastly countenance and tottering gait.

Though he could not obtain for himself the office of Lord Treasurer, his influence at the Treasury was great. Monmouth, the First Commissioner, and Delamere, the Chancellor of the Exchequer, two of the most violent Whigs in England, quitted their seats. On this, as on many other occasions, it appeared that they had nothing but their Whiggism in common. The volatile Monmouth, sensible that he had none of the qualities of a financier, seems to have taken no personal offence at being removed from a place which he never ought to have occupied. He thankfully accepted a pension, which his profuse habits made necessary to him, and still continued to attend councils, to frequent the Court, and to discharge the duties of a Lord of the Bedchamber.*** He also tried to make himself useful in

* Van Citters to the States General, Feb. $\frac{1}{11}$. 1690.

** A strange peculiarity of his constitution is mentioned in an account of him which was published a few months after his death. See the volume entitled "Lives and Characters of the most Illustrious Persons, British and Foreign, who died in the year 1712."

*** Monmouth's pension and the good understanding between him and the Court are mentioned in a letter from a Jacobite agent in England, which is in the Archives of the French War Office. The date is April $\frac{5}{15}$. 1690.

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military business, which he understood, if not well, yet better than most of his brother nobles; and he professed, during a few months, a great regard for Caermarthen. Delamere was in a very different mood. It was in vain that his services were overpaid with honours and riches. He was created Earl of Warrington. He obtained a grant of all the lands that could be discovered belonging to Jesuits in five or six counties. A demand made by him on account of expenses incurred at the time of the Revolution was allowed; and he carried with him into retirement as the reward of his patriotic exertions a large sum, which the State could ill spare. But his anger was not to be so appeased; and to the end of his life he continued to complain bitterly of the ingratitude with which he and his party had been treated.*

Sir John Lowther.

Sir John Lowther became First Lord of the Treasury, and was the person on whom Caermarthen chiefly relied for the conduct of the ostensible business of the House of Commons. Lowther was a man of ancient descent, ample estate, and great parliamentary interest. Though not an old man, he was an old senator: for he had, before he was of age, succeeded his father as knight of the shire for Westmoreland. In truth the representation of Westmoreland was almost as much one of the hereditaments of the Lowther family as Lowther Hall. Sir

* The grants of land obtained by Delamere are mentioned by Narcissus Luttrell. It appears from the Treasury Letter Book of 1690 that Delamere continued to dun the government for money after his retirement. As to his general character it would not be safe to trust the representations of satirists. But his own writings, and the admissions of the divine who preached his funeral sermon, show that his temper was not the most gentle. Clarendon remarks (Dec. 17. 1688) that a little thing sufficed to put Lord Delamere into a passion. In the poem entitled the King of Hearts, Delamere is described as —

"A restless malecontent even when preferred."

His countenance furnished a subject for satire:

"His boding looks a mind distracted show;
And envy sits engraved upon his brow."

John's abilities were respectable; his manners, though sarcastically noticed in contemporary lampoons as too formal, were eminently courteous: his personal courage he was but too ready to prove: his morals were irreproachable: his time was divided between respectable labours and respectable pleasures: his chief business was to attend the House of Commons and to preside on the Bench of Justice: his favourite amusements were reading and gardening. In opinions he was a very moderate Tory. He was attached to hereditary monarchy and to the Established Church: but he had concurred in the Revolution: he had no misgivings touching the title of William and Mary: he had sworn allegiance to them without any mental reservation; and he appears to have strictly kept his oath. Between him and Caermarthen there was a close connection. They had acted together cordially in the Northern insurrection; and they agreed in their political views, as nearly as a very cunning statesman and a very honest country gentleman could be expected to agree.* By Caermarthen's influence Lowther was now raised to one of the most important places in the kingdom. Unfortunately it was a place requiring qualities very different from those which suffice to make a valuable county member and chairman of quarter sessions. The tongue of the new First Lord of the Treasury was not sufficiently ready, nor was his temper sufficiently callous for his post. He had neither adroitness to parry, nor fortitude to endure, the gibes and reproaches to which, in his new character of courtier and placeman, he

* My notion of Lowther's character has been chiefly formed from two papers written by himself, one of which has been printed, though I believe not published. A copy of the other is among the Mackintosh MSS. Something I have taken from contemporary satires. That Lowther was too ready to expose his life in private encounters is sufficiently proved by the fact that, when he was First Lord of the Treasury, he accepted a challenge from a custom house officer whom he had dismissed. There was a duel; and Lowther was severely wounded. This event is mentioned in Luttrell's Diary, April 1690.

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was exposed. There was also something to be done which he was too scrupulous to do; something which had never been done by Wolsey or Burleigh; something which has never been done by any English statesman of our generation; but which, from the time of Charles the Second to the time of George the Third, was one of the most important parts of the business of a minister.

Rise and progress of parliamentary corruption in England.

The history of the rise, progress, and decline of parliamentary corruption in England still remains to be written. No subject has called forth a greater quantity of eloquent vituperation and stinging sarcasm. Three generations of serious and of sportive writers wept and laughed over the venality of the senate. That venality was denounced on the hustings, anathematized from the pulpit, and burlesqued on the stage; was attacked by Pope in brilliant verse, and by Bolingbroke in stately prose, by Swift with savage hatred, and by Gay with festive malice. The voices of Tories and Whigs, of Johnson and Akenside, of Smollett and Fielding, contributed to swell the cry. But none of those who railed or of those who jested took the trouble to verify the phænomena, or to trace them to the real causes.

Sometimes the evil was imputed to the depravity of a particular minister. but, when he had been driven from power, and when those who had most loudly accused him governed in his stead, it was found that the change of men had produced no change of system. Sometimes the evil was imputed to the degeneracy of the national character. Luxury and cupidity, it was said, had produced in our country the same effect which they had produced of old in the Roman republic. The modern Englishman was to the Englishman of the sixteenth century what Verres and Curio were to Dentatus and Fabricius. Those who held this language were as ignorant and shallow as people generally are who extol the past at the expense of the present.

A man of sense would have perceived that, if the English of the time of George the Second had really been more sordid and dishonest than their forefathers, the deterioration would not have shown itself in one place alone. The progress of judicial venality and of official venality would have kept pace with the progress of parliamentary venality. But nothing is more certain than that, while the legislature was becoming more and more venal, the courts of law and the public offices were becoming purer and purer. The representatives of the people were undoubtedly more mercenary in the days of Hardwicke and Pelham than in the days of the Tudors. But the Chancellors of the Tudors took plate and jewels from suitors without scruple or shame; and Hardwicke would have committed for contempt any suitor who had dared to bring him a present. The Treasurers of the Tudors raised princely fortunes by the sale of places, titles, and pardons; and Pelham would have ordered his servants to turn out of his house any man who had offered him money for a peerage or a commissionership of customs. It is evident, therefore, that the prevalence of corruption in the Parliament cannot be ascribed to a general depravation of morals. The taint was local: we must look for some local cause; and such a cause will without difficulty be found.

Under our ancient sovereigns the House of Commons rarely interfered with the executive administration. The Speaker was charged not to let the members meddle with matters of State. If any gentleman was very troublesome he was cited before the Privy Council, interrogated, reprimanded, and sent to meditate on his undutiful conduct in the Tower. The Commons did their best to protect themselves by keeping their deliberations secret, by excluding strangers, by making it a crime to repeat out of doors what had passed within doors. But these precautions were of small avail. In so large an assembly there were

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always talebearers ready to carry the evil report of their brethren to the palace. To oppose the Court was therefore a service of serious danger. In those days, of course, there was little or no buying of votes. For an honest man was not to be bought; and it was much cheaper to intimidate or to coerce a knave than to buy him.

For a very different reason there has been no direct buying of votes within the memory of the present generation. The House of Commons is now supreme in the State, but is accountable to the nation. Even those members who are not chosen by large constituent bodies are kept in awe by public opinion. Every thing is printed: every thing is discussed: every material word uttered in debate is read by a million of people on the morrow. Within a few hours after an important division, the lists of the majority and minority are scanned and analysed in every town from Plymouth to Inverness. If a name be found where it ought not to be, the apostate is certain to be reminded in sharp language of the promises which he has broken and of the professions which he has belied. At present, therefore, the best way in which a government can secure the support of a majority of the representative body is by gaining the confidence of the nation.

But between the time when our Parliaments ceased to be controlled by royal prerogative and the time when they began to be constantly and effectually controlled by public opinion there was a long interval. After the Restoration, no government ventured to return to those methods by which, before the civil war, the freedom of deliberation had been restrained. A member could no longer be called to account for his harangues or his votes. He might obstruct the passing of bills of supply: he might arraign the whole foreign policy of the country: he might lay on the table articles of impeachment against all the chief ministers; and he ran not the smallest risk of being treated

as Morrice had been treated by Elizabeth, or Eliot by Charles the First. The senator now stood in no awe of the Court. Nevertheless all the defences behind which the feeble Parliaments of the sixteenth century had entrenched themselves against the attacks of prerogative were not only still kept up, but were extended and strengthened. No politician seems to have been aware that these defences were no longer needed for their original purpose, and had begun to serve a purpose very different. The rules which had been originally designed to secure faithful representatives against the displeasure of the Sovereign, now operated to secure unfaithful representatives against the displeasure of the people, and proved much more effectual for the latter end than they had ever been for the former. It was natural, it was inevitable, that, in a legislative body emancipated from the restraints of the sixteenth century, and not yet subjected to the restraints of the nineteenth century, in a legislative body which feared neither the King nor the public, there should be corruption.

The plague spot began to be visible and palpable in the days of the Cabal. Clifford, the boldest and fiercest of the wicked Five, had the merit of discovering that a noisy patriot, whom it was no longer possible to send to prison, might be turned into a courtier by a goldsmith's note. Clifford's example was followed by his successors. It soon became a proverb that a Parliament resembled a pump. Often, the wits said, when a pump appears to be dry, if a very small quantity of water is poured in, a great quantity of water gushes out: and so, when a Parliament appears to be niggardly, ten thousand pounds judiciously given in bribes will often produce a million in supplies. The evil was not diminished, nay, it was aggravated, by that Revolution which freed our country from so many other evils. The House of Commons was now more powerful than ever as against the Crown, and yet was not more strictly responsible

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than formerly to the nation. The government had a new motive for buying the members; and the members had no new motive for refusing to sell themselves. William, indeed, had an aversion to bribery: he resolved to abstain from it; and, during the first year of his reign, he kept his resolution. Unhappily the events of that year did not encourage him to persevere in his good intentions. As soon as Caermarthen was placed at the head of the internal administration of the realm, a complete change took place. He was in truth no novice in the art of purchasing votes. He had, sixteen years before, succeeded Clifford at the Treasury, had inherited Clifford's tactics, had improved upon them, and had employed them to an extent which would have amazed the inventor. From the day on which Caermarthen was called a second time to the chief direction of affairs, parliamentary corruption continued to be practised, with scarcely any intermission, by a long succession of statesmen, till the close of the American war. Neither of the great English parties can justly charge the other with any peculiar guilt on this account. The Tories were the first who introduced the system and the last who clung to it: but it attained its greatest vigour in the time of Whig ascendency. The extent to which parliamentary support was bartered for money cannot be with any precision ascertained. But it seems probable that the number of hirelings was greatly exaggerated by vulgar report, and was never large, though often sufficient to turn the scale on important divisions. An unprincipled minister eagerly accepted the services of these mercenaries. An honest minister reluctantly submitted, for the sake of the commonwealth, to what he considered as a shameful and odious extortion. But during many years every minister, whatever his personal character might be, consented, willingly or unwillingly, to manage the Parliament in the only way in which the Parliament could then be managed. It at length became as notorious that there

was a market for votes at the Treasury as that there was a market for cattle in Smithfield. Numerous demagogues out of power declaimed against this vile traffic: but every one of those demagogues, as soon as he was in power, found himself driven by a kind of fatality to engage in that traffic, or at least to connive at it. Now and then perhaps a man who had romantic notions of public virtue refused to be himself the paymaster of the corrupt crew, and averted his eyes while his less scrupulous colleagues did that which he knew to be indispensable, and yet felt to be degrading. But the instances of this prudery were rare indeed. The doctrine generally received, even among upright and honourable politicians, was that it was shameful to receive bribes, but that it was necessary to distribute them. It is a remarkable fact that the evil reached the greatest height during the administration of Henry Pelham, a statesman of good intentions, of spotless morals in private life, and of exemplary disinterestedness. It is not difficult to guess by what arguments he and other well meaning men, who, like him, followed the fashion of their age, quieted their consciences. No casuist, however severe, has denied that it may be a duty to give what it is a crime to take. It was infamous in Jeffreys to demand money for the lives of the unhappy prisoners whom he tried at Dorchester and Taunton. But it was not infamous, nay, it was laudable, in the kinsmen and friends of a prisoner to contribute of their substance in order to make up a purse for Jeffreys. The Sallee rover, who threatened to bastinado a Christian captive to death unless a ransom was forthcoming, was an odious ruffian. But to ransom a Christian captive from a Sallee rover was, not merely an innocent, but a highly meritorious act. It would be improper in such cases to use the word corruption. Those who receive the filthy lucre are corrupt already. He who bribes them does not make them wicked: he finds them so; and he merely prevents their evil propensities

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from producing evil effects. And might not the same plea be urged in defence of a minister who, when no other expedient would avail, paid greedy and lowminded men not to ruin their country?

It was by some such reasoning as this that the scruples of William were overcome. Honest Burnet, with the uncourtly courage which distinguished him, ventured to remonstrate with the King. "Nobody," William answered, "hates bribery more than I. But I have to do with a set of men who must be managed in this vile way or not at all. I must strain a point; or the country is lost."*

Sir John Trevor.

It was necessary for the Lord President to have in the House of Commons an agent for the purchase of members; and Lowther was both too awkward and too scrupulous to be such an agent. But a man in whom craft and profligacy were united in a high degree was without difficulty found. This was the Master of the Rolls, Sir John Trevor, who had been Speaker in the single Parliament held by James. High as Trevor had risen in the world, there were people who could still remember him a strange looking lawyer's clerk in the Inner Temple. Indeed, nobody who had ever seen him was likely to forget him. For his grotesque features and his hideous squint were far beyond the reach of caricature. His parts, which were quick and vigorous, had enabled him early to master the science of chicane. Gambling and betting were his amusements; and out of these amusements he contrived to extract much business in the way of his profession. For his opinion on a question arising out of a wager or a game at chance had as much authority as a judgment of any court in Westminster Hall. He soon rose to be one of the boon companions whom Jeffreys hugged in fits of maudlin friendship over the bottle at night, and cursed and reviled in court on the morrow. Under such a

* Burnet, ii. 76.

teacher, Trevor rapidly became a proficient in that peculiar kind of rhetoric which had enlivened the trials of Baxter and of Alice Lisle. Report indeed spoke of some scolding matches between the Chancellor and his friend, in which the disciple had been not less voluble and scurrilous than the master. These contests, however, did not take place till the younger adventurer had attained riches and dignities such that he no longer stood in need of the patronage which had raised him.* Among High Churchmen Trevor, in spite of his notorious want of principle, had at this time a certain popularity, which he seems to have owed chiefly to their conviction that, however insincere he might be in general, his hatred of the dissenters was genuine and hearty. There was little doubt that, in a House of Commons in which the Tories had a majority, he might easily, with the support of the Court, be chosen Speaker. He was impatient to be again in his old post, which he well knew how to make one of the most lucrative in the kingdom; and he willingly undertook that secret and shameful office for which Lowther was altogether unqualified.

Richard Hampden was appointed Chancellor of the Exchequer. This appointment was probably intended as a mark of royal gratitude for the moderation of his conduct, and for the attempts which he had made to curb the violence of his Whig friends, and especially of his son.

Godolphin voluntarily left the Treasury; why, we are not informed. We can scarcely doubt that the dissolution and the result of the general election must have given him pleasure. For his political opinions leaned towards Toryism; and he had, in the late reign, done some things which, though not very heinous, stood in need of an indemnity. It is probable that he did not think it compatible with his personal dignity to

Godolphin retires.

* Roger North's Life of Guildford.

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sit at the board below Lowther, who was in rank his inferior.*

Changes at the Admiralty.

A new Commission of Admiralty was issued. At the head of the naval administration was placed Thomas Herbert, Earl of Pembroke, a high born and high bred man, who had ranked among the Tories, who had voted for a Regency, and who had married the daughter of Sawyer. That Pembroke's Toryism, however, was not of a narrow and illiberal kind is sufficiently proved by the fact that, immediately after the Revolution, the Essay on the Human Understanding was dedicated to him by John Locke, in token of gratitude for kind offices done in evil times.**

Nothing was omitted which could reconcile Torrington to this change. For, though he had been found an incapable administrator, he still stood so high in general estimation as a seaman that the government was unwilling to lose his services. He was assured that no slight was intended to him. He could not serve his country at once on the ocean and at Westminster; and it had been thought less difficult to supply his place in his office than on the deck of his flag ship. He was at first very angry, and actually laid down his commission: but some concessions were made to his pride: a pension of three thousand pounds a year and a grant of ten thousand acres of crown land in the Peterborough level were irresistible baits to his cupidity; and, in an evil hour for England, he consented to remain at the head of the naval force, on which the safety of her coasts depended.***

* Till some years after this time the First Lord of the Treasury was always the man of highest rank at the Board. Thus Monmouth, Delamere and Godolphin took their places according to the order of precedence in which they stood as peers.

** The dedication, however, was thought too laudatory. "The only thing," Mr. Pope used to say, "he could never forgive his philosophic master was the dedication to the Essay." — Ruffhead's Life of Pope.

*** Van Citters to the States General, $\frac{\text{April 25.}}{\text{May 5.}}$ 1690; Narcissus Luttrell's Diary; Treasury Letter Book, Feb. 4. $16\frac{90}{91}$.

Changes in the Commissions of Lieutenancy.

While these changes were making in the offices round Whitehall, the Commissions of Lieutenancy all over the kingdom were revised. The Tories had, during twelve months, been complaining that their share in the government of the districts in which they lived bore no proportion to their number, to their wealth, and to the consideration which they enjoyed in society. They now regained with great delight their former position in their shires. The Whigs raised a cry that the King was foully betrayed, and that he had been induced by evil counsellors to put the sword into the hands of men who, as soon as a favourable opportunity offered, would turn the edge against himself. In a dialogue which was believed to have been written by the newly created Earl of Warrington, and which had a wide circulation at the time, but has long been forgotten, the Lord Lieutenant of a county was introduced expressing his apprehensions that the majority of his deputies were traitors at heart.* But nowhere was the excitement produced by the new distribution of power so great as in the capital. By a Commission of Lieutenancy which had been issued immediately after the Revolution, the train bands of the City had been put under the command of stanch Whigs. Those powerful and opulent citizens whose names were omitted complained that the list was filled with elders of Puritan congregations, with Shaftesbury's brisk boys, with Rye House plotters, and that it was scarcely possible to find, mingled with that multitude of fanatics and levellers, a single man sincerely attached to monarchy and to the Church. A new Commission now appeared framed by Caermarthen and Nottingham. They had taken counsel with Compton, the Bishop of the diocese; and Compton was not a very discreet adviser. He had originally

* The Dialogue between a Lord Lieutenant and one of his Deputies will not be found in the collection of Warrington's writings which was published in 1694, under the sanction, as it should seem, of his family.

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been a High Churchman and a Tory. The severity with which he had been treated in the late reign had transformed him into a Latitudinarian and a rebel; and he had now, from jealousy of Tillotson, turned High Churchman and Tory again. The Whigs complained that they were ungratefully proscribed by a government which owed its existence to them; that some of the best friends of King William had been dismissed with contumely to make room for some of his worst enemies, for men who were as unworthy of trust as any Irish Rapparee, for men who had delivered up to a tyrant the charter and the immemorial privileges of the City, for men who had made themselves notorious by the cruelty with which they had enforced the penal laws against Protestant dissenters, nay, for men who had sate on those juries which had found Russell and Cornish guilty.* The discontent was so great that it seemed, during a short time, likely to cause pecuniary embarrassment to the State. The supplies voted by the late Parliament came in slowly. The wants of the public service were pressing. In such circumstances it was to the citizens of London that the government always looked for help; and the government of William had hitherto looked especially to those citizens who professed Whig opinions. Things were now changed. A few eminent Whigs, in their first anger, sullenly refused to advance money. Nay, one or two unexpectedly withdrew considerable sums from the Exchequer.** The financial difficulties might have been serious, had not some wealthy Tories, who, if Sacheverell's clause had become law, would have been excluded from all municipal

* Van Citters to the States General, March $\frac{14}{24}$. April $\frac{4}{14}$. 1690; Narcissus Luttrell's Diary; Burnet, ii. 72.; The Triennial Mayor, or the Rapparees, a Poem, 1691. The poet says of one of the new civic functionaries:

"Soon his pretence to conscience we can rout,
And in a bloody jury find him out,
Where noble Publius worried was with rogues."

** Treasury Minute Book, Feb. 5. $16\frac{89}{90}$.

honours, offered the Treasury a hundred thousand pounds down, and promised to raise a still larger sum.*

While the City was thus agitated, came a day appointed by royal proclamation for a general fast. The reasons assigned for this solemn act of devotion were the lamentable state of Ireland and the approaching departure of the King. Prayers were offered up for the safety of His Majesty's person and for the success of his arms. The churches of London were crowded. The most eminent preachers of the capital, who were, with scarcely an exception, either moderate Tories or moderate Whigs, exerted themselves to calm the public mind, and earnestly exhorted their flocks not to withhold, at this great conjuncture, a hearty support from the prince, with whose fate was bound up the fate of the whole nation. Burnet told a large congregation from the pulpit how the Greeks, when the Great Turk was preparing to besiege Constantinople, could not be persuaded to contribute any part of their wealth for the common defence, and how bitterly they repented of their avarice when they were compelled to deliver up to the victorious infidels the treasures which had been refused to the supplications of the last Christian emperor.**

Temper of the Whigs.

The Whigs, however, as a party, did not stand in need of such an admonition. Grieved and angry as they were, they were perfectly sensible that on the stability of the throne of William depended all that they most highly prized. What some of them might, at this conjuncture, have been tempted to do if they could have found another leader, if, for example, their Protestant Duke, their King Monmouth, had still been living, may be doubted. But their only choice was between the Sovereign whom they had set up and the Sovereign whom

* Van Citters, Feb. $\frac{11}{21}$. Mar. $\frac{1}{11}$. Mar. $\frac{11}{21}$. 1690.

** Van Citters, March $\frac{1}{11}$. 1690. The sermon is extant. It was preached at Bow Church before the Court of Aldermen.

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they had pulled down. It would have been strange indeed if they had taken part with James in order to punish William, when the worst fault which they imputed to William was that he did not participate in the vindictive feeling with which they remembered the tyranny of James. Much as they disliked the Bill of Indemnity, they had not forgotten the Bloody Circuit. They therefore, even in their ill humour, continued true to their own King, and, while grumbling at him, were ready to stand by him against his adversary with their lives and fortunes.*

Dealings of some Whigs with Saint Germains Shrewsbury; Ferguson.

There were indeed exceptions; but they were very few; and they were to be found almost exclusively in two classes, which, though widely differing from each other in social position, closely resembled each other in laxity of principle. All the Whigs who are known to have trafficked with Saint Germains belonged, not to the main body of the party, but either to the head or to the tail. They were either patricians high in rank and office, or caitiffs who had long been employed in the foulest drudgery of faction. To the former class belonged Shrewsbury. Of the latter class the most remarkable specimen was Robert Ferguson. From the day on which the Convention Parliament was dissolved, Shrewsbury began to waver in his allegiance: but that he had ever wavered was not, till long after, suspected by the public. That Ferguson had, a few months after the Revolution, become a furious Jacobite, was no secret to any body, and ought not to have been matter of surprise to any body. For his apostasy he could not plead even the miserable excuse that he had been neglected. The ignominious services which he had formerly rendered to his party as a spy, a raiser of riots, a dispenser of bribes, a writer of libels, a prompter of false witnesses, had been rewarded only too prodigally for the honour of the new government.

* Welwood's Mercurius Reformatus, Feb. 12. 1690.

That he should hold any high office was of course impossible. But a sinecure place of five hundred a year had been created for him in the department of the Excise. He now had what to him was opulence: but opulence did not satisfy him. For money indeed he had never scrupled to be guilty of fraud aggravated by hypocrisy: yet the love of money was not his strongest passion. Long habits had developed in him a moral disease from which people who make political agitation their calling are seldom wholly free. He could not be quiet. Sedition, from being his business, had become his pleasure. It was as impossible for him to live without doing mischief as for an old dram drinker or an old opium eater to live without the daily dose of poison. The very discomforts and hazards of a lawless life had a strange attraction for him. He could no more be turned into a peaceable and loyal subject than the fox can be turned into a shepherd's dog, or than the kite can be taught the habits of the barn door fowl. The Red Indian prefers his hunting ground to cultivated fields and stately cities: the gipsy, sheltered by a commodious roof, and provided with meat in due season, still pines for the ragged tent on the moor and the meal of carrion; and even so Ferguson became weary of plenty and security, of his salary, his house, his table and his coach, and longed to be again the president of societies where none could enter without a password, the director of secret presses, the distributor of inflammatory pamphlets; to see the walls placarded with descriptions of his person and offers of reward for his apprehension; to have six or seven names, with a different wig and cloak for each, and to change his lodgings thrice a week at dead of night. His hostility was not to Popery or to Protestantism, to monarchical government or to republican government, to the House of Stuart or to the House of Nassau, but to whatever was at the time established.

By the Jacobites this new ally was eagerly welcomed. They Hopes of

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the Jacobites.

were at that moment busied with schemes in which the help of a veteran plotter was much needed. There had been a great stir among them from the day on which it had been announced that William had determined to take the command in Ireland; and they were all looking forward with impatient hope to his departure. He was not a prince against whom men lightly venture to set up a standard of rebellion. His courage, his sagacity, the secrecy of his counsels, the success which had generally crowned his enterprises, overawed the vulgar. Even his most acrimonious enemies feared him at least as much as they hated him. While he was at Kensington, ready to take horse at a moment's notice, malecontents who prized their heads and their estates were generally content to vent their hatred by drinking confusion to his hooked nose, and by squeezing with significant energy the orange which was his emblem. But their courage rose when they reflected that the sea would soon roll between him and our island. In the military and political calculations of that age, thirty leagues of water were as important as three hundred leagues now are. The winds and waves frequently interrupted all communication between England and Ireland. It sometimes happened that, during a fortnight or three weeks, not a word of intelligence from London reached Dublin. Twenty English counties might be up in arms long before any rumour that an insurrection was even apprehended could reach Ulster. Early in the spring, therefore, the leading malecontents assembled in London for the purpose of concerting an extensive plan of action, and corresponded assiduously both with France and with Ireland.

Meeting of the new Parliament.

Such was the temper of the English factions when, on the twentieth of March, the new Parliament met. The first duty which the Commons had to perform was that of choosing a Speaker. Trevor was proposed by Lowther, was elected without opposition, and was presented and approved with the or-

dinary ceremonial. The King then made a speech in which he especially recommended to the consideration of the Houses two important subjects, the settling of the revenue and the granting of an amnesty. He represented strongly the necessity of despatch. Every day was precious, the season for action was approaching. "Let not us," he said, "be engaged in debates while our enemies are in the field."*

Settlement of the revenue.

The first subject which the Commons took into consideration was the state of the revenue. A great part of the taxes had, since the accession of William and Mary, been collected under the authority of Acts passed for short terms, and it was now time to determine on a permanent arrangement. A list of the salaries and pensions for which provision was to be made was laid before the House; and the amount of the sums thus expended called forth very just complaints from the independent members, among whom Sir Charles Sedley distinguished himself by his sarcastic pleasantry. A clever speech which he made against the placemen stole into print and was widely circulated: it has since been often republished; and it proves, what his poems and plays might make us doubt, that his contemporaries were not mistaken in considering him as a man of parts and vivacity. Unfortunately the ill humour which the sight of the Civil List caused evaporated in jests and invectives without producing any reform.

The ordinary revenue by which the government had been supported before the Revolution had been partly hereditary, and had been partly drawn from taxes granted to each sovereign for life. The hereditary revenue had passed, with the crown, to William and Mary. It was derived from the rents of the royal domains, from fees, from fines, from wine licenses, from the first fruits and tenths of benefices, from the

* Commons' Journals, March 20, 21, 22. $16\frac{89}{90}$.

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receipts of the Post Office, and from that part of the excise which had, immediately after the Restoration, been granted to Charles the Second and to his successors for ever in lieu of the feudal services due to our ancient kings. The income from all these sources was estimated at between four and five hundred thousand pounds.*

Those duties of excise and customs which had been granted to James for life had, at the close of his reign, yielded about nine hundred thousand pounds annually. William naturally wished to have this income on the same terms on which his uncle had enjoyed it; and his ministers did their best to gratify his wishes. Lowther moved that the grant should be to the King and Queen for their joint and separate lives, and spoke repeatedly and earnestly in defence of this motion. He set forth William's claims to public gratitude and confidence; the nation rescued from Popery and arbitrary power; the Church delivered from persecution; the constitution established on a firm basis. Would the Commons deal grudgingly with a prince who had done more for England than had ever been done for her by any of his predecessors in so short a time, with a prince who was now about to expose himself to hostile weapons and pestilential air in order to preserve the English colony in Ireland, with a prince who was prayed for in every corner of the world where a congregation of Protestants could meet for the worship of God?** But on this subject Lowther harangued in vain. Whigs and Tories were equally fixed in the opinion that the liberality of Parliaments had been the chief cause of the disasters of the last thirty years; that to the liberality of the Parliament of 1660 was to be ascribed the misgovernment of the Cabal; that to the liberality of the Parliament of 1685 was

* Commons' Journals, March 28. 1690, and March 1. and March 20. 168½.

** Grey's Debates, March 27. and 28. 1690.

to be ascribed the Declaration of Indulgence, and that the Parliament of 1690 would be inexcusable if it did not profit by a long, a painful, an unvarying experience. After much dispute a compromise was made. That portion of the excise which had been settled for life on James, and which was estimated at three hundred thousand pounds a year, was settled on William and Mary for their joint and separate lives. It was supposed that, with the hereditary revenue, and with three hundred thousand a year more from the excise, their Majesties would have, independent of parliamentary control, between seven and eight hundred thousand a year. Out of this income was to be defrayed the charge both of the royal household and of those civil offices of which a list had been laid before the House. This income was therefore called the Civil List. The expenses of the royal household are now entirely separated from the expenses of the civil government; but, by a whimsical perversion, the name of Civil List has remained attached to that portion of the revenue which is appropriated to the expenses of the royal household. It is still more strange that several neighbouring nations should have thought this most unmeaning of all names worth borrowing. Those duties of customs which had been settled for life on Charles and James successively, and which, in the year before the Revolution, had yielded six hundred thousand pounds, were granted to the Crown for a term of only four years.*

William was by no means well pleased with this arrangement. He thought it unjust and ungrateful in a people whose liberties he had saved to bind him over to his good behaviour. "The gentlemen of England," he said to Burnet, "trusted King James who was an enemy of their religion and of their laws;

* Commons' Journals, Mar. 28. 1690. A very clear and exact account of the way in which the revenue was settled was sent by Van Citters to the States General, April $\frac{1}{11}$. 1690.

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and they will not trust me by whom their religion and their laws have been preserved." Burnet answered very properly that there was no mark of personal confidence which His Majesty was not entitled to demand, but that this question was not a question of personal confidence. The Estates of the Realm wished to establish a general principle. They wished to set a precedent which might secure a remote posterity against evils such as the indiscreet liberality of former Parliaments had produced. "From those evils Your Majesty has delivered this generation. By accepting the gift of the Commons on the terms on which it is offered Your Majesty will be also a deliverer of future generations." William was not convinced; but he had too much wisdom and selfcommand to give way to his ill humour; and he accepted graciously what he could not but consider as ungraciously given.*

Provision for the Princess of Denmark.

The Civil List was charged with an annuity of twenty thousand pounds to the Princess of Denmark, in addition to an annuity of thirty thousand pounds which had been settled on her at the time of her marriage. This arrangement was the result of a compromise which had been effected with much difficulty and after many irritating disputes. The King and Queen had never, since the commencement of their reign, been on very good terms with their sister. That William should have been disliked by a woman who had just sense enough to perceive that his temper was sour and his manners repulsive, and who was utterly incapable of appreciating his higher qualities, is not extraordinary. But Mary was made to be loved. So lively and intelligent a woman could not indeed derive much pleasure from the society of Anne, who, when in good humour, was meekly stupid, and, when in bad humour, was sulkily stupid. Yet the Queen, whose kindness had endeared her to her humblest attendants, would hardly have made an enemy of one

* Burnet, ii. 43.

whom it was her duty and her interest to make a friend, had not an influence strangely potent and strangely malignant been incessantly at work to divide the Royal House against itself. The fondness of the Princess for Lady Marlborough was such as, in a superstitious age, would have been ascribed to some talisman or potion. Not only had the friends, in their confidential intercourse with each other, dropped all ceremony and all titles, and become plain Mrs. Morley and plain Mrs. Freeman; but even Prince George, who cared as much for the dignity of his birth as he was capable of caring for any thing but claret and calvered salmon, submitted to be Mr. Morley. The Countess boasted that she had selected the name of Freeman because it was peculiarly suited to the frankness and boldness of her character; and, to do her justice, it was not by the ordinary arts of courtiers that she established and long maintained her despotic empire over the feeblest of minds. She had little of that tact which is the characteristic talent of her sex: she was far too violent to flatter or to dissemble: but, by a rare chance, she had fallen in with a nature on which dictation and contradiction acted as philtres. In this grotesque friendship all the loyalty, the patience, the selfdevotion, was on the side of the mistress. The whims, the haughty airs, the fits of ill temper, were on the side of the waiting woman.

Nothing is more curious than the relation in which the two ladies stood to Mr. Freeman, as they called Marlborough. In foreign countries people knew in general that Anne was governed by the Churchills. They knew also that the man who appeared to enjoy so large a share of her favour was not only a great soldier and politician, but also one of the finest gentlemen of his time, that his face and figure were eminently handsome, his temper at once bland and resolute, his manners at once engaging and noble. Nothing could be more natural than that graces and accomplishments like his should win a female

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heart. On the Continent therefore many persons imagined that he was Anne's favoured lover; and he was so described in contemporary French libels which have long been forgotten. In England this calumny never found credit even with the vulgar, and is nowhere to be found even in the most ribald doggrel that was sung about our streets. In truth the Princess seems never to have been guilty of a thought inconsistent with her conjugal vows. To her Marlborough, with all his genius and his valour, his beauty and his grace, was nothing but the husband of her friend. Direct power over Her Royal Highness he had none. He could influence her only by the instrumentality of his wife; and his wife was no passive instrument. Though it is impossible to discover, in any thing that she ever did, said or wrote, any indication of superior understanding, her fierce passions and strong will enabled her often to rule a husband who was born to rule grave senates and mighty armies. His courage, that courage which the most perilous emergencies of war only made cooler and more steady, failed him when he had to encounter his Sarah's ready tears and voluble reproaches, the poutings of her lip and the tossings of her head. History exhibits to us few spectacles more remarkable than that of a great and wise man, who, when he had combined vast and profound schemes of policy, could carry them into effect only by inducing one foolish woman, who was often unmanageable, to manage another woman who was more foolish still.

In one point the Earl and the Countess were perfectly agreed. They were equally bent on getting money; though, when it was got, he loved to hoard it, and she was not unwilling to spend it.* The favour of the Princess they both regarded as

* In a contemporary lampoon are these lines:

"Oh, happy couple! In their life
There does appear no sign of strife.
They do agree so in the main,
To sacrifice their souls for gain."

The Female Nine, 1690.

a valuable estate. In her father's reign, they had begun to grow rich by means of her bounty. She was naturally inclined to parsimony; and, even when she was on the throne, her equipages and tables were by no means sumptuous.* It might have been thought, therefore, that, while she was a subject, thirty thousand a year, with a residence in the palace, would have been more than sufficient for all her wants. There were probably not in the kingdom two noblemen possessed of such an income. But no income would satisfy the greediness of those who governed her. She repeatedly contracted debts which James repeatedly discharged, not without expressing much surprise and displeasure.

The Revolution opened to the Churchills a new and boundless prospect of gain. The whole conduct of their mistress at the great crisis had proved that she had no will, no judgment, no conscience, but theirs. To them she had sacrificed affections, prejudices, habits, interests. In obedience to them, she had joined in the conspiracy against her father: she had fled from Whitehall in the depth of winter, through ice and mire, to a hackney coach: she had taken refuge in the rebel camp: she had consented to yield her place in the order of succession to the Prince of Orange. They saw with pleasure that she, over whom they possessed such boundless influence, possessed no common influence over others. Scarcely had the Revolution been accomplished when many Tories, disliking both the King who had been driven out and the King who had come in, and doubting whether their religion had more to fear from Jesuits or from Latitudinarians, showed a strong disposition to rally round Anne. Nature had made her a bigot. Such was the constitution of her mind that to the religion of her nursery she could not but adhere, without examination and without doubt,

* Swift mentions the deficiency of hospitality and magnificence in her household. Journal to Stella, August 8. 1711.

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till she was laid in her coffin. In the court of her father she had been deaf to all that could be urged in favour of transubstantiation and auricular confession. In the court of her brother in law she was equally deaf to all that could be urged in favour of a general union among Protestants. This slowness and obstinacy made her important. It was a great thing to be the only member of the Royal Family who regarded Papists and Presbyterians with an impartial aversion. While a large party was disposed to make her an idol, she was regarded by her two artful servants merely as a puppet. They knew that she had it in her power to give serious annoyance to the government; and they determined to use this power in order to extort money, nominally for her, but really for themselves. While Marlborough was commanding the English forces in the Low Countries, the execution of the plan was necessarily left to his wife; and she acted, not as he would doubtless have acted, with prudence and temper, but, as is plain even from her own narrative, with odious violence and insolence. Indeed she had passions to gratify from which he was altogether free. He, though one of the most covetous, was one of the least acrimonious of mankind: but malignity was in her a stronger passion than avarice. She hated easily: she hated heartily; and she hated implacably. Among the objects of her hatred were all who were related to her mistress either on the paternal or on the maternal side. No person who had a natural interest in the Princess could observe without uneasiness the strange infatuation which made her the slave of an imperious and reckless termagant. This the Countess well knew. In her view the Royal Family and the family of Hyde, however they might differ as to other matters, were leagued against her; and she detested them all, James, William and Mary, Clarendon and Rochester. Now was the time to wreak the accumulated spite of years. It was not enough to obtain a great, a regal, revenue for Anne. That revenue must

be obtained by means which would wound and humble those whom the favourite abhorred. It must not be asked, it must not be accepted, as a mark of fraternal kindness, but demanded in hostile tones, and wrung by force from reluctant hands. No application was made to the King and Queen. But they learned with astonishment that Lady Marlborough was indefatigable in canvassing the Tory members of Parliament, that a Princess's party was forming, that the House of Commons would be moved to settle on Her Royal Highness a vast income independent of the Crown. Mary asked her sister what these proceedings meant. "I hear," said Anne, "that my friends have a mind to make me some settlement." It is said that the Queen, greatly hurt by an expression which seemed to imply that she and her husband were not among her sister's friends, replied with unwonted sharpness, "Of what friends do you speak? What friends have you except the King and me?"* The subject was never again mentioned between the sisters. Mary was probably sensible that she had made a mistake in addressing herself to one who was merely a passive instrument in the hands of others. An attempt was made to open a negotiation with the Countess. After some inferior agents had expostulated with her in vain, Shrewsbury waited on her. It might have been expected that his intervention would have been successful: for, if the scandalous chronicle of those times could be trusted, he had stood high, too high, in her favour.** He was authorised by the King to promise that, if the Princess would desist from soliciting the members of the House of Commons to support her cause, the income of Her Royal Highness should be increased from thirty thousand pounds to fifty thousand. The Countess flatly

* Duchess of Marlborough's Vindication. But the Duchess was so abandoned a liar, that it is impossible to believe a word that she says, except when she accuses herself.

** See the Female Nine.

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rejected this offer. The King's word, she had the insolence to hint, was not a sufficient security. "I am confident," said Shrewsbury, "that His Majesty will strictly fulfil his engagements. If he breaks them I will not serve him an hour longer." "That may be very honourable in you," answered the pertinacious vixen, "but it will be very poor comfort to the Princess." Shrewsbury, after vainly attempting to move the servant, was at length admitted to an audience of the mistress. Anne, in language doubtless dictated by her friend Sarah, told him that the business had gone too far to be stopped, and must be left to the decision of the Commons.*

The truth was that the Princess's prompters hoped to obtain from Parliament a much larger sum than was offered by the King. Nothing less than seventy thousand a year would content them. But their cupidity overreached itself. The House of Commons showed a great disposition to gratify Her Royal Highness. But, when at length her too eager adherents ventured to name the sum which they wished to grant, the murmurs were loud. Seventy thousand a year at a time when the necessary expenses of the State were daily increasing, when the receipt of the customs was daily diminishing, when trade was low, when every gentleman, every farmer, was retrenching something from the charge of his table and his cellar! The general opinion was that the sum which the King was understood to be willing to give would be amply sufficient.** At last something was conceded on both sides. The Princess was forced to content herself with fifty thousand a year; and William agreed that this sum should be settled on her by Act of

* The Duchess of Marlborough's Vindication. With that habitual inaccuracy, which, even when she has no motive for lying, makes it necessary to read every word written by her with suspicion, she creates Shrewsbury a Duke, and represents herself as calling him "Your Grace." He was not made a Duke till 1694.

** Commons' Journals, December 17. and 18. 1689.

Parliament. She rewarded the services of Lady Marlborough with a pension of a thousand a year*: but this was in all probability a very small part of what the Churchills gained by the arrangement. CHAP. XV. 1690.

After these transactions the two royal sisters continued during many months to live on terms of civility and even of apparent friendship. But Mary, though she seems to have borne no malice to Anne, undoubtedly felt against Lady Marlborough as much resentment as a very gentle heart is capable of feeling. Marlborough had been out of England during a great part of the time which his wife had spent in canvassing among the Tories, and, though he had undoubtedly acted in concert with her, had acted, as usual, with temper and decorum. He therefore continued to receive from William many marks of favour which were unaccompanied by any indication of displeasure.

In the debates on the settling of the revenue, the distinction between Whigs and Tories does not appear to have been very clearly marked. In truth, if there was any thing about which the two parties were agreed, it was the expediency of granting the customs to the Crown for a time not exceeding four years. But there were other questions which called forth the old animosity in all its strength. The Whigs were now a minority, but a minority formidable in numbers, and more formidable in ability. They carried on the parliamentary war, not less acrimoniously than when they were a majority, but somewhat more artfully. They brought forward several motions, such as no High Churchman could well support, yet such as no servant of William and Mary could well oppose. The Tory who voted for these motions would run a great risk of being pointed at as a turncoat by the sturdy Cavaliers of his county. The Tory who

* Vindication of the Duchess of Marlborough.

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voted against those motions would run a great risk of being frowned upon at Kensington.

Bill declaring the Acts of the preceding Parliament valid.

It was apparently in pursuance of this policy that the Whigs laid on the table of the House of Lords a bill declaring all the laws passed by the late Parliament to be valid laws. No sooner had this bill been read than the controversy of the preceding spring was renewed. The Whigs were joined on this occasion by almost all those noblemen who were connected with the government. The rigid Tories, with Nottingham at their head, professed themselves willing to enact that every statute passed in 1689 should have the same force that it would have had if it had been passed by a parliament convoked in a regular manner: but nothing would induce them to acknowledge that an assembly of lords and gentlemen, who had come together without authority from the Great Seal, was constitutionally a Parliament. Few questions seem to have excited stronger passions than the question, practically altogether unimportant, whether the bill should or should not be declaratory. Nottingham, always upright and honourable, but a bigot and a formalist, was on this subject singularly obstinate and unreasonable. In one debate he lost his temper, forgot the decorum which in general he strictly observed, and narrowly escaped being committed to the custody of the Black Rod.* After much wrangling, the Whigs carried their point by a majority of seven.** Many peers signed a strong protest written by Nottingham. In this protest the bill, which was indeed open to verbal criticism, was impolitely described as being neither good English nor good sense. The majority passed a resolution that the protest should be expunged; and against this resolution Nottingham and his followers again protested.*** The King was displeased by the

* Van Citters, April $\frac{8}{18}$. 1690.
** Van Citters, April $\frac{8}{18}$; Narcissus Luttrell's Diary.
*** Lords' Journals, April 8. and 10. 1690; Burnet, ii. 41.

pertinacity of his Secretary of State; so much displeased indeed that Nottingham declared his intention of resigning the Seals: but the dispute was soon accommodated. William was too wise not to know the value of an honest man in a dishonest age. The very scrupulosity which made Nottingham a mutineer was a security that he would never be a traitor.* CHAP. XV. 1690.

The bill went down to the Lower House; and it was fully expected that the contest there would be long and fierce: but a single speech settled the question. Somers, with a force and eloquence which surprised even an audience accustomed to hear him with pleasure, exposed the absurdity of the doctrine held by the high Tories. "If the Convention," — it was thus that he argued, — "was not a Parliament, how can we be a Parliament? An Act of Elizabeth provides that no person shall sit or vote in this House till he has taken the old oath of supremacy. Not one of us has taken that oath. Instead of it, we have all taken the new oath of supremacy which the late Parliament substituted for the old oath. It is therefore a contradiction to say that the Acts of the late Parliament are not now valid, and yet to ask us to enact that they shall henceforth be valid. For either they already are so, or we never can make them so." This reasoning, which was in truth as unanswerable as that of Euclid, brought the debate to a speedy close. The bill passed the Commons within forty eight hours after it had been read the first time.**

This was the only victory won by the Whigs during the whole session. They complained loudly in the Lower House of the change which had been made in the military government of the city of London. The Tories, conscious of their strength, Debate on the changes in the Lieutenancy.

* Van Citters, $\frac{\text{April 25.}}{\text{May 5.}}$ 1690.

** Commons' Journals, April 8. and 9. 1690; Grey's Debates; Burnet, ii. 42. Van Citters, writing on the 8th, mentions that a great struggle in the Lower House was expected.

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and heated by resentment, not only refused to censure what had been done, but determined to express publicly and formally their gratitude to the King for having brought in so many churchmen and turned out so many schismatics. An address of thanks was moved by Clarges, member for Westminster, who was known to be attached to Caermarthen. "The alterations which have been made in the City," said Clarges, "show that His Majesty has a tender care of us. I hope that he will make similar alterations in every county of the realm." The minority struggled hard. "Will you thank the King," they said, "for putting the sword into the hands of his most dangerous enemies? Some of those whom he has been advised to entrust with military command have not yet been able to bring themselves to take the oath of allegiance to him. Others were well known, in the evil days, as stanch jurymen, who were sure to find an Exclusionist guilty on any evidence or no evidence." Nor did the Whig orators refrain from using those topics on which all factions are eloquent in the hour of distress, and which all factions are but too ready to treat lightly in the hour of prosperity. "Let us not," they said, "pass a vote which conveys a reflection on a large body of our countrymen, good subjects, good Protestants. The King ought to be the head of his whole people. Let us not make him the head of a party." This was excellent doctrine; but it scarcely became the lips of men who, a few weeks before, had opposed the Indemnity Bill and voted for the Sacheverell Clause. The address was carried by a hundred and eighty five votes to a hundred and thirty six.*

Abjuration Bill.

As soon as the numbers had been announced, the minority, smarting from their defeat, brought forward a motion which caused no little embarrassment to the Tory placemen. The oath of allegiance, the Whigs said, was drawn in terms far too lax. It might exclude from public employment a few honest

* Commons' Journals, April 24. 1690; Grey's Debates.

Jacobites who were generally too dull to be mischievous; but it was altogether inefficient as a means of binding the supple and slippery consciences of cunning priests, who, while affecting to hold the Jesuits in abhorrence, were proficients in that immoral casuistry which was the worst part of Jesuitism. Some grave divines had openly said, others had even dared to write, that they had sworn fealty to William in a sense altogether different from that in which they had sworn fealty to James. To James they had plighted the entire faith which a loyal subject owes to a rightful sovereign: but, when they promised to bear true allegiance to William, they meant only that they would not, whilst he was able to hang them for rebelling or conspiring against him, run any risk of being hanged. None could wonder that the precepts and example of the malecontent clergy should have corrupted the malecontent laity. When Prebendaries and Rectors were not ashamed to avow that they had equivocated, in the very act of kissing the New Testament, it was hardly to be expected that attorneys and taxgatherers would be more scrupulous. The consequence was that every department swarmed with traitors; that men who ate the King's bread, men who were entrusted with the duty of collecting and disbursing his revenues, of victualling his ships, of clothing his soldiers, of making his artillery ready for the field, were in the habit of calling him an usurper, and of drinking to his speedy downfall. Could any government be safe which was hated and betrayed by its own servants? And was not the English government exposed to dangers which, even if all its servants were true, might well excite serious apprehensions? A disputed succession, war with France, war in Scotland, war in Ireland, was not all this enough without treachery in every arsenal and in every custom house? There must be an oath drawn in language too precise to be explained away, in language which no Jacobite could repeat without the consciousnesss that he was perjuring

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himself. Though the zealots of indefeasible hereditary right had in general no objection to swear allegiance to William, they would probably not choose to abjure James. On such grounds as these, an Abjuration Bill of extreme severity was brought into the House of Commons. It was proposed to enact that every person who held any office, civil, military, or spiritual, should, on pain of deprivation, solemnly abjure the exiled King; that the oath of abjuration might be tendered by any justice of the peace to any subject of their Majesties; and that, if it were refused, the recusant should be sent to prison, and should lie there as long as he continued obstinate.

The severity of this last provision was generally and most justly blamed. To turn every ignorant meddling magistrate into a state inquisitor, to insist that a plain man, who lived peaceably, who obeyed the laws, who paid his taxes, who had never held and who did not expect ever to hold any office, and who had never troubled his head about problems of political philosophy, should declare, under the sanction of an oath, a decided opinion on a point about which the most learned Doctors of the age had written whole libraries of controversial books, and to send him to rot in a gaol if he could not bring himself to swear, would surely have been the height of tyranny. The clause which required public functionaries to abjure the deposed King was not open to the same objections. Yet even against this clause some weighty arguments were urged. A man, it was said, who has an honest heart and a sound understanding is sufficiently bound by the present oath. Every such man, when he swears to be faithful and to bear true allegiance to King William, does, by necessary implication, abjure King James. There may doubtless be among the servants of the State, and even among the ministers of the Church, some persons who have no sense of honour or religion, and who are ready to forswear themselves for lucre. There may be others

who have contracted the pernicious habit of quibbling away the most sacred obligations of morality, and who have convinced themselves that they can innocently make, with a mental reservation, a promise which it would be sinful to make without such a reservation. Against these two classes of Jacobites it is true that the present test affords no security. But will the new test, will any test, be more efficacious? Will a person who has no conscience, or a person whose conscience can be set at rest by immoral sophistry, hesitate to repeat any phrase that you can dictate? The former will kiss the book without any scruple at all. The scruples of the latter will be very easily removed. He now swears allegiance to one King with a mental reservation. He will then abjure the other King with a mental reservation. Do not flatter yourselves that the ingenuity of lawgivers will ever devise an oath which the ingenuity of casuists will not evade. What indeed is the value of any oath in such a matter? Among the many lessons which the troubles of the last generation have left us none is more plain than this, that no form of words, however precise, no imprecation, however awful, ever saved, or ever will save, a government from destruction. Was not the Solemn League and Covenant burned by the common hangman amidst the huzzas of tens of thousands who had themselves subscribed it? Among the statesmen and warriors who bore the chief part in restoring Charles the Second, how many were there who had not repeatedly abjured him? Nay, is it not well known that some of those persons boastfully affirmed that, if they had not abjured him, they never could have restored him?

The debates were sharp; and the issue during a short time seemed doubtful: for some of the Tories who were in office were unwilling to give a vote which might be thought to indicate that they were lukewarm in the cause of the King whom they served. William, however, took care to let it be understood that he

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had no wish to impose a new test on his subjects. A few words from him decided the event of the conflict. The bill was rejected thirty six hours after it had been brought in by a hundred and ninety two votes to a hundred and sixty five.*

Even after this defeat the Whigs pertinaciously returned to the attack. Having failed in one House they renewed the battle in the other. Five days after the Abjuration Bill had been thrown out in the Commons, another Abjuration Bill, somewhat milder, but still very severe, was laid on the table of the Lords.** What was now proposed was that no person should sit in either House of Parliament or hold any office, civil, military, or judicial, without making a declaration that he would stand by William and Mary against James and James's adherents. Every male in the kingdom who had attained the age of sixteen was to make the same declaration before a certain day. If he failed to do so he was to pay double taxes and to be incapable of exercising the elective franchise.

On the day fixed for the second reading, the King came down to the House of Peers. He gave his assent in form to several laws, unrobed, took his seat on a chair of state which had been placed for him, and listened with much interest to the debate. To the general surprise, two noblemen who had been eminently zealous for the Revolution spoke against the proposed test. Lord Wharton, a Puritan who had fought for the

* Commons' Journals, April 24, 25, and 26; Grey's Debates; Narcissus Luttrell's Diary. Narcissus is unusually angry. He calls the bill "a perfect trick of the fanatics to turn out the Bishops and most of the Church of England Clergy." In a Whig pasquinade entitled "A speech intended to have been spoken on the Triennial Bill, on Jan. 28." 169¾, the King is said to have "browbeaten the Abjuration Bill."

** Lords' Journals, May 1. 1690. This Bill is among the Archives of the House of Lords. Burnet confounds it with the bill which the Commons had rejected in the preceding week. Ralph, who saw that Burnet had committed a blunder, but did not see what the blunder was, has, in trying to correct it, added several blunders of his own; and the Oxford editor of Burnet has been misled by Ralph.

Long Parliament, said, with amusing simplicity, that he was a very old man, that he had lived through troubled times, that he had taken a great many oaths in his day, and that he was afraid that he had not kept them all. He prayed that the sin might not be laid to his charge; and he declared that he could not consent to lay any more snares for his own soul and for the souls of his neighbours. The Earl of Macclesfield, the captain of the English volunteers who had accompanied William from Helvoetsluys to Torbay, declared that he was much in the same case with Lord Wharton. Marlborough supported the bill. He wondered, he said, that it should be opposed by Macclesfield, who had borne so preeminent a part in the Revolution. Macclesfield, irritated by the charge of inconsistency, retorted with terrible severity: "The noble Earl," he said, "exaggerates the share which I had in the deliverance of our country. I was ready, indeed, and always shall be ready, to venture my life in defence of her laws and liberties. But there are lengths to which, even for the sake of her laws and liberties, I could never go. I only rebelled against a bad King: there were those who did much more." Marlborough, though not easily discomposed, could not but feel the edge of this sarcasm: William looked displeased; and the aspect of the whole House was troubled and gloomy. It was resolved by fifty one votes to forty that the bill should be committed; and it was committed, but never reported. After many hard struggles between the Whigs headed by Shrewsbury and the Tories headed by Caermarthen, it was so much mutilated that it retained little more than its name, and did not seem to those who had introduced it to be worth any further contest.*

* Lords' Journals, May 2. and 3. 1690; Van Citters, May 2.; Narcissus Luttrell's Diary; Burnet, ii. 44.; and Lord Dartmouth's note. The changes made by the Committee may be seen on the bill in the Archives of the House of Lords.

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The discomfiture of the Whigs was completed by a communication from the King. Caermarthen appeared in the House of Lords bearing in his hand a parchment signed by William. It was an Act of Grace for political offences.

Act of Grace.

Between an Act of Grace originating with the Sovereign and an Act of Indemnity originating with the Estates of the Realm there are some remarkable distinctions. An Act of Indemnity passes through all the stages through which other laws pass, and may, during its progress, be amended by either House. An Act of Grace is received with peculiar marks of respect, is read only once by the Lords and once by the Commons, and must be either rejected altogether or accepted as it stands.* William had not ventured to submit such an Act to the preceding Parliament. But in the new Parliament he was certain of a majority. The minority gave no trouble. The stubborn spirit which had, during two sessions, obstructed the progress of the Bill of Indemnity had been at length broken by defeats and humiliations. Both Houses stood up uncovered while the Act of Grace was read, and gave their sanction to it without one dissentient voice.

There would not have been this unanimity had not a few great criminals been excluded from the benefits of the amnesty. Foremost among them stood the surviving members of the High Court of Justice which had sate on Charles the First. With these ancient men were joined the two nameless executioners who had done their office, with masked faces, on the scaffold before the Banqueting House. None knew who they were, or of what rank. It was probable that they had been long dead. Yet it was thought necessary to declare that, if even now, after the lapse of forty one years, they should be discovered, they would still be liable to the punishment of their great crime.

* These distinctions were much discussed at the time. Van Citters, May $\frac{18}{28}$. 1690.

Perhaps it would hardly have been thought necessary to mention these men, if the animosities of the preceding generation had not been rekindled by the recent appearance of Ludlow in England. About thirty of the agents of the tyranny of James were left to the law. With these exceptions, all political offences, committed before the day on which the royal signature was affixed to the Act, were covered with a general oblivion.* Even the criminals who were by name excluded had little to fear. Many of them were in foreign countries; and those who were in England were well assured that, unless they committed some new fault, they would not be molested.

The Act of Grace the nation owed to William alone; and it is one of his noblest and purest titles to renown. From the commencement of the civil troubles of the seventeenth century down to the Revolution, every victory gained by either party had been followed by a sanguinary proscription. When the Roundheads triumphed over the Cavaliers, when the Cavaliers triumphed over the Roundheads, when the fable of the Popish plot gave the ascendency to the Whigs, when the detection of the Rye House Plot transferred the ascendency to the Tories, blood, and more blood, and still more blood had flowed. Every great explosion and every great recoil of public feeling had been accompanied by severities which, at the time, the predominant faction loudly applauded, but which, on a calm review, history and posterity have condemned. No wise and humane man, whatever may be his political opinions, now mentions without reprehension the death either of Laud or of Vane, either of Stafford or of Russell. Of the alternate butcheries the last and the worst is that which is inseparably associated with the names of James and Jeffreys. But it assuredly would not have been the last, perhaps it might not have been the worst, if William had not had the virtue and the firmness resolutely to withstand

* Stat. 2 W. & M. sess. 1. c. 10.

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the importunity of his most zealous adherents. These men were bent on exacting a terrible retribution for all they had undergone during seven disastrous years. The scaffold of Sidney, the gibbet of Cornish, the stake at which Elizabeth Gaunt had perished in the flames for the crime of harbouring a fugitive, the porches of the Somersetshire churches surmounted by the skulls and quarters of murdered peasants, the holds of those Jamaica ships from which every day the carcass of some prisoner dead of thirst and foul air had been flung to the sharks, all these things were fresh in the memory of the party which the Revolution had made, for a time, dominant in the State. Some chiefs of that party had redeemed their necks by paying heavy ransom. Others had languished long in Newgate. Others had starved and shivered, winter after winter, in the garrets of Amsterdam. It was natural that in the day of their power and prosperity they should wish to inflict some part of what they had suffered. During a whole year they pursued their scheme of revenge. They succeeded in defeating Indemnity Bill after Indemnity Bill. Nothing stood between them and their victims, but William's immutable resolution that the glory of the great deliverance which he had wrought should not be sullied by cruelty. His clemency was peculiar to himself. It was not the clemency of an ostentatious man, or of a sentimental man, or of an easy tempered man. It was cold, unconciliating, inflexible. It produced no fine stage effects. It drew on him the savage invectives of those whose malevolent passions he refused to satisfy. It won for him no gratitude from those who owed to him fortune, liberty and life. While the violent Whigs railed at his lenity, the agents of the fallen government, as soon as they found themselves safe, instead of acknowledging their obligations to him, reproached him in insulting language with the mercy which he had extended to them. His Act of Grace, they said, had completely refuted his Declaration. Was it possible to believe

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that, if there had been any truth in the charges which he had brought against the late government, he would have granted impunity to the guilty? It was now acknowledged by himself, under his own hand, that the stories by which he and his friends had deluded the nation and driven away the royal family were mere calumnies devised to serve a turn. The turn had been served; and the accusations by which he had inflamed the public mind to madness were coolly withdrawn.* But none of these things moved him. He had done well. He had risked his popularity with men who had been his warmest admirers, in order to give repose and security to men by whom his name was never mentioned without a curse. Nor had he conferred a less benefit on those whom he had protected. If he had saved one faction from a proscription, he had saved the other from the reaction which such a proscription would inevitably have produced. If his people did not justly appreciate his policy, so much the worse for them. He had discharged his duty by them. He feared no obloquy; and he wanted no thanks.

The Parliament prorogued.

On the twentieth of May the Act of Grace was passed. The King then informed the Houses that his visit to Ireland could no longer be delayed, that he had therefore determined to prorogue them, and that, unless some unexpected emergency made their advice and assistance necessary to him, he should not call them again from their homes till the next winter. "Then," he said, "I hope, by the blessing of God, we shall have a happy meeting."

The Parliament had passed an Act providing that, whenever he should go out of England, it should be lawful for Mary to administer the government of the kingdom in his name and her own. It was added that he should nevertheless, during his absence, retain all his authority. Some objections were made

* Roger North was one of the many malecontents who were never tired of harping on this string.

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to this arrangement. Here, it was said, were two supreme powers in one State. A public functionary might receive diametrically opposite orders from the King and the Queen, and might not know which to obey. The objection was, beyond all doubt, speculatively just; but there was such perfect confidence and affection between the royal pair that no practical inconvenience was to be apprehended.*

Preparations for the first war.

As far as Ireland was concerned, the prospects of William were much more cheering than they had been a few months earlier. The activity with which he had personally urged forward the preparations for the next campaign had produced an extraordinary effect. The nerves of the government were new strung. In every department of the military administration the influence of a vigorous mind was perceptible. Abundant supplies of food, clothing and medicine, very different in quality from those which Shales had furnished, were sent across Saint George's Channel. A thousand baggage waggons had been made or collected with great expedition; and, during some weeks, the road between London and Chester was covered with them. Great numbers of recruits were sent to fill the chasms which pestilence had made in the English ranks. Fresh regiments from Scotland, Cheshire, Lancashire, and Cumberland had landed in the Bay of Belfast. The uniforms and arms of the new comers clearly indicated the potent influence of the master's eye. With the British battalions were interspersed several hardy bands of German and Scandinavian mercenaries. Before the end of May the English force in Ulster amounted to thirty thousand fighting men. A few more troops and an immense quantity of military stores were on board of a fleet which lay in the estuary of the Dee, and which was ready to weigh anchor as soon as the King was on board.**

* Stat. 2 W. & M. sess. 1. c. 6.; Grey's Debates, April 29., May 1. 5, 6, 7. 1690.

** Story's Impartial History; Narcissus Luttrell's Diary.

James ought to have made an equally good use of the time during which his army had been in winter quarters. Strict discipline and regular drilling might, in the interval between November and May, have turned the athletic and enthusiastic peasants who were assembled under his standard into good soldiers. But the opportunity was lost. The Court of Dublin was, during that season of inaction, busied with dice and claret, love letters and challenges. The aspect of the capital was indeed not very brilliant. The whole number of coaches which could be mustered there, those of the King and of the French Legation included, did not amount to forty.* But though there was little splendour there was much dissoluteness. Grave Roman Catholics shook their heads and said that the Castle did not look like the palace of a King who gloried in being the champion of the Church.** The military administration was as deplorable as ever. The cavalry indeed was, by the exertions of some gallant officers, kept in a high state of efficiency. But a regiment of infantry differed in nothing but name from a large gang of Rapparees. Indeed a gang of Rapparees gave less annoyance to peaceable citizens, and more annoyance to the enemy, than a regiment of infantry. Avaux strongly represented, in a memorial which he delivered to James, the abuses which made the Irish foot a curse and a scandal to Ireland. Whole companies, said the ambassador, quit their colours on the line of march and wander to right and left pillaging and destroying: the soldier takes no care of his arms: the officer never troubles himself to ascertain whether the arms are in good order: the

Administration of James at Dublin.

* Avaux, Jan. $\frac{1}{2}\frac{3}{3}$. 1690.

** Macariæ Excidium. This most curious work has been recently edited with great care and diligence by Mr. O'Callaghan. I owe so much to his learning and industry that I most readily excuse the national partiality which sometimes, I cannot but think, perverts his judgment. When I quote the Macariæ Excidium, I always quote the Latin text. The English version is, I am convinced, merely a translation from the Latin, and a very careless and imperfect translation.

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consequence is that one man in every three has lost his musket, and that another man in every three has a musket that will not go off. Avaux adjured the King to prohibit marauding, to give orders that the troops should be regularly exercised, and to punish every officer who suffered his men to neglect their weapons and accoutrements. If these things were done, His Majesty might hope to have, in the approaching spring, an army with which the enemy would be unable to contend. This was good advice: but James was so far from taking it that he would hardly listen to it with patience. Before he had heard eight lines read he flew into a passion and accused the ambassador of exaggeration. "This paper, Sir," said Avaux, "is not written to be published. It is meant solely for Your Majesty's information; and, in a paper meant solely for Your Majesty's information, flattery and disguise would be out of place: but I will not persist in reading what is so disagreeable." "Go on," said James very angrily; "I will hear the whole." He gradually became calmer, took the memorial, and promised to adopt some of the suggestions which it contained. But his promise was soon forgotten.*

His financial administration was of a piece with his military administration. His one fiscal resource was robbery, direct or indirect. Every Protestant who had remained in any part of the three southern provinces of Ireland was robbed directly, by the simple process of taking money out of his strong box, drink out of his cellars, fuel from his turf stack, and clothes from his wardrobe. He was robbed indirectly by a new issue of counters, smaller in size and baser in material than any which had yet borne the image and superscription of James. Even brass had begun to be scarce at Dublin; and it was necessary to ask assistance from Lewis, who charitably bestowed on his

* Avaux, Nov. $\frac{14}{24}$. 1689.

ally an old cracked piece of cannon to be coined into crowns and shillings.*

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But the French king had determined to send over succours of a very different kind. He proposed to take into his own service, and to form by the best discipline then known in the world, four Irish regiments. They were to be commanded by Macarthy, who had been severely wounded and taken prisoner at Newton Butler. His wounds had been healed; and he had regained his liberty by violating his parole. This disgraceful breach of faith he had made more disgraceful by paltry tricks and sophistical excuses which would have become a Jesuit better than a gentleman and a soldier. Lewis was willing that the Irish regiments should be sent to him in rags and unarmed, and insisted only that the men should be stout, and that the officers should not be bankrupt traders and discarded lacqueys, but, if possible, men of good family who had seen service. In return for these troops, who were in number not quite four thousand, he undertook to send to Ireland between seven and eight thousand excellent French infantry, who were likely in a day of battle to be of more use than all the kernes of Leinster, Munster and Connaught together.**

An auxiliary force sent from France to Ireland.

* Louvois writes to Avaux, $\frac{\text{Dec. 26.}}{\text{Jan. 5.}}$ $16\frac{89}{90}$: "Comme le Roy a veu par vos lettres que le Roy d'Angleterre craignoit de manquer de cuivre pour faire de la monnoye, Sa Majesté a donné ordre que l'on mist sur le bastiment qui portera cette lettre une pièce de canon du calibre de deux qui est éventée, de laquelle ceux qui travaillent à la monnoye du Roy d'Angleterre pourront se servir pour continuer à faire de la monnoye."

** Louvois to Avaux, Nov. $\frac{1}{11}$. 1689. The force sent by Lewis to Ireland appears by the lists at the French War Office to have amounted to seven thousand two hundred and ninety one men of all ranks. At the French War Office is a letter from Marshal d'Estrées who saw the four Irish regiments soon after they had landed at Brest. He describes them as "mal chaussés, mal vêtus, et n'ayant point d'uniforme dans leurs habits, si ce n'est qu'ils sont tous fort mauvais." A very exact account of Macarthy's breach of parole will be found in Mr. O'Callaghan's History of the Irish Brigades. I am sorry that a writer to whom I owe so much should

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One great error he committed. The army which he was sending to assist James, though small indeed when compared with the army of Flanders or with the army of the Rhine, was destined for a service on which the fate of Europe might depend, and ought therefore to have been commanded by a general of eminent abilities. There was no want of such generals in the French service. But James and his Queen begged hard for Lauzun, and carried this point against the strong representations of Avaux, against the advice of Louvois, and against the judgment of Lewis himself.

When Lauzun went to the cabinet of Louvois to receive instructions, the wise minister held language which showed how little confidence he felt in the vain and eccentric knight errant. "Do not, for God's sake, suffer yourself to be hurried away by your desire of fighting. Put all your glory in tiring the English out; and, above all things, maintain strict discipline."*

Not only was the appointment of Lauzun in itself a bad appointment: but, in order that one man might fill a post for which he was unfit, it was necessary to remove two men from posts for which they were eminently fit. Immoral and hard-hearted as Rosen and Avaux were, Rosen was a skilful captain, and Avaux was a skilful politician. Though it is not probable that they would have been able to avert the doom of Ireland, it is probable that they might have been able to protract the contest; and it was evidently for the interest of France that the contest should be protracted. But it would have been an affront to the old general to put him under the orders of Lauzun; and between the ambassador and Lauzun there was

try to vindicate conduct which, as described by himself, was in the highest degree dishonourable.

* Lauzun to Louvois, $\frac{\text{May 28.}}{\text{June 7.}}$ and June $\frac{15}{25}$. 1690, at the French War Office.

such an enmity that they could not be expected to act cordially together. Both Rosen and Avaux, therefore, were, with many soothing assurances of royal approbation and favour, recalled to France. They sailed from Cork early in the spring by the fleet which had conveyed Lauzun thither.* Lauzun had no sooner landed than he found that, though he had been long expected, nothing had been prepared for his reception. No lodgings had been provided for his men, no place of security for his stores, no horses, no carriages.** His troops had to undergo the hardships of a long march through a desert before they arrived at Dublin. At Dublin, indeed, they found tolerable accommodation. They were billeted on Protestants, lived at free quarter, had plenty of bread, and threepence a day. Lauzun was appointed Commander in Chief of the Irish army, and took up his residence in the Castle.*** His salary was the same with that of the Lord Lieutenant, eight thousand Jacobuses, equivalent to ten thousand pounds sterling, a year. This sum James offered to pay, not in the brass which bore his own effigy, but in French gold. But Lauzun, among whose faults avarice had no place, refused to fill his own coffers from an almost empty treasury. †

On him and on the Frenchmen who accompanied him the misery of the Irish people and the imbecility of the Irish government produced an effect which they found it difficult to describe. Lauzun wrote to Louvois that the Court and the whole kingdom were in a state not to be imagined by a person who had always lived in well governed countries. It was, he said, a chaos, such as he had read of in the book of Genesis. The

* See the later letters of Avaux.

** Avaux to Louvois, March $\frac{13}{23}$. 1690; Lauzun to Louvois, $\frac{\text{March 23.}}{\text{April 3.}}$

*** Story's Impartial History; Lauzun to Louvois, May $\frac{18}{28}$. 1690.

† Lauzun to Louvois, $\frac{\text{May 28.}}{\text{June 7.}}$ 1690.

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whole business of all the public functionaries was to quarrel with each other, and to plunder the government and the people. After he had been about a month at the Castle, he declared that he would not go through such another month for all the world. His ablest officers confirmed his testimony.* One of them, indeed, was so unjust as to represent the people of Ireland not merely as ignorant and idle, which they were, but as hopelessly stupid and unfeeling, which they assuredly were not. The English policy, he said, had so completely brutalised them, that they could hardly be called human beings. They were insensible to praise and blame, to promises and threats. And yet it was pity of them: for they were physically the finest race of men in the world.**

By this time Schomberg had opened the campaign auspiciously. He had with little difficulty taken Charlemont, the last important fastness which the Irish occupied in Ulster. But the great work of reconquering the three southern provinces of the island he deferred till William should arrive. William meanwhile was busied in making arrangements for the government and defence of England during his absence. He well knew that the Jacobites were on the alert. They had not till very lately been an united and organized faction. There had been, to use Melfort's phrase, numerous gangs, which were all in communication with James at Dublin Castle, or with Mary of Modena at Saint Germains, but which had no connection

Plan of the English Jacobites; Clarendon, Aylesbury, Dartmouth.

* Lauzun to Louvois, April $\frac{2}{12}$. May $\frac{1}{11}$. 1690. La Hoguette, who held the rank of Maréchal de Camp, wrote to Louvois to the same effect about the same time.

** "La politique des Anglois a été de tenir ces peuples cy comme des esclaves, et si bas qu'il ne leur estoit pas permis d'apprendre à lire et à écrire. Cela les a rendu si bestes qu'ils n'ont presque point d'humanité. Rien ne les esmeut. Ils sont peu sensibles à l'honneur; et les menaces ne les estonnent point. L'interest même ne les peut engager au travail. Ce sont pourtant les gens du monde les mieux faits." — Desgrigny to Louvois, $\frac{\text{May } 27.}{\text{June } 6.}$ 1690.

with each other and were unwilling to trust each other.* But since it had been known that the usurper was about to cross the sea, and that his sceptre would be left in a female hand, these gangs had been drawing close together, and had begun to form one extensive confederacy. Clarendon, who had refused the oaths, and Aylesbury, who had dishonestly taken them, were among the chief traitors. Dartmouth, though he had sworn allegiance to the sovereigns who were in possession, was one of their most active enemies, and undertook what may be called the maritime department of the plot. His mind was constantly occupied by schemes, disgraceful to an English seaman, for the destruction of the English fleets and arsenals. He was in close communication with some naval officers, who, though they served the new government, served it sullenly and with half a heart; and he flattered himself that by promising these men ample rewards, and by artfully inflaming the jealous animosity with which they regarded the Dutch flag, he should prevail on them to desert and to carry their ships into some French or Irish port.**

The conduct of Penn was scarcely less scandalous. He was Penn.
a zealous and busy Jacobite; and his new way of life was even more unfavourable than his late way of life had been to moral purity. It was hardly possible to be at once a consistent Quaker and a courtier: but it was utterly impossible to be at once a consistent Quaker and a conspirator. It is melancholy to relate that Penn, while professing to consider even defensive war as sinful, did every thing in his power to bring a foreign army into the heart of his own country. He wrote to inform James that the adherents of the Prince of Orange dreaded nothing so much as an appeal to the sword, and that, if England were now in-

* See Melfort's Letters to James, written in October 1689. They are among the Nairne Papers, and were printed by Macpherson.

** Life of James, ii. 443. 450.; and Trials of Ashton and Preston.

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vaded from France or from Ireland, the number of Royalists would appear to be greater than ever. Avaux thought this letter so important, that he sent a translation of it to Lewis.* A good effect, the shrewd ambassador wrote, had been produced, by this and similar communications, on the mind of King James. His Majesty was at last convinced that he could recover his dominions only sword in hand. It is a curious fact that it should have been reserved for the great preacher of peace to produce this conviction in the mind of the old tyrant.** Penn's proceedings had not escaped the observation of the government. Warrants had been out against him; and he had been taken into custody; but the evidence against him had not been such as would support a charge of high treason: he had, as, with all his faults, he deserved to have, many friends in every party; he therefore soon regained his liberty, and returned to his plots.***

Preston.

But the chief conspirator was Richard Graham, Viscount

* Avaux wrote thus to Lewis on the 5th of June 1689: "Il nous est venu des nouvelles assez considérables d'Angleterre et d'Escosse. Je me donne l'honneur d'en envoyer des mémoires à vostre Majesté, tels que je les ay receus du Roy de la Grande Bretagne. Le commencement des nouvelles dattées d'Angleterre est la copie d'une lettre de M. Pen, que j'ay veue en original." The Mémoire des Nouvelles d'Angleterre, et d'Escosse, which was sent with this despatch, begins with the following sentences, which must have been part of Penn's letter: "Le Prince d'Orange commence d'estre fort dégoutté de l'humeur des Anglois; et la face des choses change bien viste, selon la nature des insulaires; et sa santé est fort mauvaise. Il y a un nuage qui commence à se former au nord des deux royaumes, où le Roy a beaucoup d'amis, ce qui donne beaucoup d'inquiétude aux principaux amis du Prince d'Orange, qui, estant riches, commencent à estre persuadez que ce sera l'espée qui décidera de leur sort, ce qu'ils ont tant taché d'éviter. Ils appréhendent une invasion d'Irlande et de France; et en ce cas le Roy aura plus d'amis que jamais."

** "Le bon effet, Sire, que ces lettres d'Escosse et d'Angleterre ont produit, est qu'elles ont enfin persuadé le Roy d'Angleterre qu'il ne recouvrera ses estats que les armes à la main; et ce n'est pas peu de l'en avoir convaincu."

*** Van Citters to the States General, March $\frac{1}{11}$. 1689. Van Citters calls Penn "den bekenden Archquaker."

Preston, who had, in the late reign, been Secretary of State. Though a peer in Scotland, he was only a baronet in England. He had, indeed, received from Saint Germains an English patent of nobility; but the patent bore a date posterior to that flight which the Convention had pronounced an abdication. The Lords had, therefore, not only refused to admit him to a share of their privileges, but had sent him to prison for presuming to call himself one of their order. He had, however, by humbling himself, and by withdrawing his claim, obtained his liberty.* Though the submissive language which he had condescended to use on this occasion did not indicate a spirit prepared for martyrdom, he was regarded by his party, and by the world in general, as a man of courage and honour. He still retained the seals of his office, and was still considered by the adherents of indefeasible hereditary right as the real Secretary of State. He was in high favour with Lewis, at whose court he had formerly resided, and had, since the Revolution, been intrusted by the French government with considerable sums of money for political purposes.**

While Preston was consulting in the capital with the other heads of the faction, the rustic Jacobites were laying in arms, holding musters, and forming themselves into companies, troops, and regiments. There were alarming symptoms in Worcestershire. In Lancashire many gentlemen had received commissions signed by James, called themselves colonels and captains, and made out long lists of noncommissioned officers and privates. Letters from Yorkshire brought news that large bodies of men, who seemed to have met for no good purpose,

* See his trial in the Collection of State Trials, and the Lords' Journals of Nov. 11, 12, and 27. 1689.

** One remittance of two thousand pistoles is mentioned in a letter of Croissy to Avaux, Feb. $\frac{1}{11}$. 1689. James, in a letter dated Jan. 26. 1689, directs Preston to consider himself as still Secretary, notwithstanding Melfort's appointment.

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had been seen on the moors near Knaresborough. Letters from Newcastle gave an account of a great match at football which had been played in Northumberland, and was suspected to have been a pretext for a gathering of the disaffected. In the crowd, it was said, were a hundred and fifty horsemen well mounted and armed, of whom many were Papists.*

Meantime packets of letters full of treason were constantly passing and repassing between Kent and Picardy, and between Wales and Ireland. Some of the messengers were honest fanatics: but others were mere mercenaries, and trafficked in the secrets of which they were the bearers.

The Jacobites betrayed by Fuller.

Of these double traitors the most remarkable was William Fuller. This man has himself told us that, when he was very young, he fell in with a pamphlet which contained an account of the flagitious life and horrible death of Dangerfield. The boy's imagination was set on fire: he devoured the book: he almost got it by heart; and he was soon seized, and ever after haunted, by a strange presentiment that his fate would resemble that of the wretched adventurer whose history he had so eagerly read.** It might have been supposed that the prospect of dying in Newgate, with a back flayed and an eye knocked out, would not have seemed very attractive. But experience proves that there are some distempered minds for which notoriety, even when accompanied with pain and shame, has an irresistible fascination. Animated by this loathsome

* Narcissus Luttrell's Diary; Commons' Journals, May 14, 15. 20. 1690; Kingston's True History, 1697.

** The Whole Life of Mr. William Fuller, being an Impartial Account of his Birth, Education, Relations and Introduction into the Service of the late King James and his Queen, together with a True Discovery of the Intrigues for which he lies now confined; as also of the Persons that employed and assisted him therein, with his Hearty Repentance for the Misdemeanours he did in the late Reign, and all others whom he hath injured; impartially writ by Himself during his Confinement in the Queen's Bench, 1703. Of course I shall use this narrative with caution.

ambition, Fuller equalled, and perhaps surpassed, his model. He was bred a Roman Catholic, and was page to Lady Melfort, when Lady Melfort shone at Whitehall as one of the loveliest women in the train of Mary of Modena. After the Revolution, he followed his mistress to France, was repeatedly employed in delicate and perilous commissions, and was thought at Saint Germains to be a devoted servant of the House of Stuart. In truth, however, he had, in one of his journeys to London, sold himself to the new government, and had abjured the faith in which he had been brought up. The honour, if it is to be so called, of turning him from a worthless Papist into a worthless Protestant he ascribed, with characteristic impudence, to the lucid reasoning and blameless life of Tillotson.

In the spring of 1690, Mary of Modena wished to send to her correspondents in London some highly important despatches. As these despatches were too bulky to be concealed in the clothes of a single messenger, it was necessary to employ two confidential persons. Fuller was one. The other was a zealous young Jacobite called Crone. Before they set out, they received full instructions from the Queen herself. Not a scrap of paper was to be detected about them by an ordinary search: but their buttons contained letters written in invisible ink.

The pair proceeded to Calais. The governor of that town furnished them with a boat, which, under cover of the night, set them on the low marshy coast of Kent, near the lighthouse of Dungeness. They walked to a farmhouse, procured horses, and took different roads to London. Fuller hastened to the palace at Kensington, and delivered the documents with which he was charged into the King's hand. The first letter which William unrolled seemed to contain only florid compliments: but a pan of charcoal was lighted: a liquor well known to the diplomatists of that age was applied to the paper: an un-

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savoury steam filled the closet; and lines full of grave meaning began to appear.

Crone arrested.

The first thing to be done was to secure Crone. He had unfortunately had time to deliver his letters before he was caught: but a snare was laid for him into which he easily fell. In truth the sincere Jacobites were generally wretched plotters. There was among them an unusually large proportion of sots, braggarts, and babblers; and Crone was one of these. Had he been wise, he would have shunned places of public resort, kept strict guard over his lips, and stinted himself to one bottle at a meal. He was found by the messengers of the government at a tavern table in Gracechurch Street, swallowing bumpers to the health of King James, and ranting about the coming restoration, the French fleet, and the thousands of honest Englishmen who were awaiting the signal to rise in arms for their rightful Sovereign. He was carried to the Secretary's office at Whitehall. He at first seemed to be confident and at his ease, but when Fuller appeared among the bystanders at liberty, and in a fashionable garb, with a sword, the prisoner's courage fell; and he was scarcely able to articulate.*

The news that Fuller had turned king's evidence, that Crone had been arrested, and that important letters from Saint Germains were in the hands of William, flew fast through London, and spread dismay among all who were conscious of guilt.** It was true that the testimony of one witness, even if that witness had been more respectable than Fuller, was not legally sufficient to convict any person of high treason. But Fuller had so managed matters that several witnesses could be produced to corroborate his evidence against Crone; and, if Crone, under the strong terror of death, should imitate Fuller's example, the heads of all the chiefs of the conspiracy would be

* Fuller's Life of himself.

** Clarendon's Diary, March 6. 1690; Narcissus Luttrell's Diary.

at the mercy of the government. The spirits of the Jacobites rose, however, when it was known that Crone, though repeatedly interrogated by those who had him in their power, and though assured that nothing but a frank confession could save his life, had resolutely continued silent. What effect a verdict of Guilty and the near prospect of the gallows might produce on him remained to be seen. His accomplices were by no means willing that his fortitude should be tried by so severe a test. They therefore employed numerous artifices, legal and illegal, to avert a conviction. A woman named Clifford, with whom he had lodged, and who was one of the most active and cunning agents of the Jacobite faction, was entrusted with the duty of keeping him steady to the cause, and of rendering to him services from which scrupulous or timid agents might have shrunk. When the dreaded day came, Fuller was too ill to appear in the witness box, and the trial was consequently postponed. He asserted that his malady was not natural, that a noxious drug had been administered to him in a dish of porridge, that his nails were discoloured, that his hair came off, and that able physicians pronounced him poisoned. But such stories, even when they rest on authority much better than that of Fuller, ought to be received with very great distrust.

While Crone was awaiting his trial, another agent of the Court of Saint Germains, named Tempest, was seized on the road between Dover and London, and was found to be the bearer of numerous letters addressed to malecontents in England.* Every day it became more plain that the State was surrounded by dangers: and yet it was absolutely necessary that, at this conjuncture, the able and resolute Chief of the State should quit his post.

* Clarendon's Diary, May 10. 1690.

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Difficulties of William.

William, with painful anxiety, such as he alone was able to conceal under an appearance of stoical serenity, prepared to take his departure. Mary was in agonies of grief; and her distress affected him more than was imagined by those who judged of his heart by his demeanour.* He knew too that he was about to leave her surrounded by difficulties with which her habits had not qualified her to contend. She would be in constant need of wise and upright counsel; and where was such counsel to be found? There were indeed among his servants many able men and a few virtuous men. But, even when he was present, their political and personal animosities had too often made both their abilities and their virtues useless to him. What chance was there that the gentle Mary would be able to restrain that party spirit and that emulation which had been but very imperfectly kept in order by her resolute and politic lord? If the interior cabinet which was to assist the Queen were composed exclusively either of Whigs or of Tories, half the nation would be disgusted. Yet, if Whigs and Tories were mixed, it was certain that there would be constant dissension. Such was William's situation that he had only a choice of evils.

Conduct of Shrewsbury.

All these difficulties were increased by the conduct of Shrewsbury. The character of this man is a curious study. He seemed to be the petted favourite both of nature and of fortune. Illustrious birth, exalted rank, ample possessions, fine parts, extensive acquirements, an agreeable person, manners singularly graceful and engaging, combined to make him an object of admiration and envy. But, with all these advantages, he had some moral and intellectual peculiarities which made him a torment to himself and to all connected with him. His conduct at the time of the Revolution had given the world a high opinion, not merely of his patriotism, but of

* He wrote to Portland, "Je plains la povre reine, qui est en des terribles afflictions."

his courage, energy and decision. It should seem, however, that youthful enthusiasm and the exhilaration produced by public sympathy and applause had, on that occasion, raised him above himself. Scarcely any other part of his life was of a piece with that splendid commencement. He had hardly become Secretary of State when it appeared that his nerves were too weak for such a post. The daily toil, the heavy responsibility, the failures, the mortifications, the obloquy, which are inseparable from power, broke his spirit, soured his temper, and impaired his health. To such natures as his the sustaining power of high religious principle seems to be peculiarly necessary; and unfortunately Shrewsbury had, in the act of shaking off the yoke of that superstition in which he had been brought up, liberated himself also from more salutary bands which might perhaps have braced his too delicately constituted mind into stedfastness and uprightness. Destitute of such support, he was, with great abilities, a weak man, and, though endowed with many amiable and attractive qualities, could not be called an honest man. For his own happiness, he should either have been much better or much worse. As it was, he never knew either that noble peace of mind which is the reward of rectitude, or that abject peace of mind which springs from impudence and insensibility. Few people who have had so little power to resist temptation have suffered so cruelly from remorse and shame.

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To a man of this temper the situation of a minister of state during the year which followed the Revolution must have been constant torture. The difficulties by which the government was beset on all sides, the malignity of its enemies, the unreasonableness of its friends, the virulence with which the hostile factions fell on each other and on every mediator who attempted to part them, might indeed have discouraged a more resolute spirit. Before Shrewsbury had been six months in

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office, he had completely lost heart and head. He began to address to William letters which it is difficult to imagine that a prince so strongminded can have read without mingled compassion and contempt. "I am sensible," — such was the constant burden of these epistles, — "that I am unfit for my place. I cannot exert myself. I am not the same man that I was half a year ago. My health is giving way. My mind is on the rack. My memory is failing. Nothing but quiet and retirement can restore me." William returned friendly and soothing answers; and, for a time, these answers calmed the troubled mind of his minister.* But at length the dissolution, the general election, the change in the Commissions of Peace and Lieutenancy, and finally the debates on the two Abjuration Bills, threw Shrewsbury into a state bordering on distraction. He was angry with the Whigs for using the King ill, and yet was still more angry with the King for showing favour to the Tories. At what moment and by what influence the unhappy man was induced to commit a treason, the consciousness of which threw a dark shade over all his remaining years, is not accurately known. But it is highly probable that his mother, who, though the most abandoned of women, had great power over him, took a fatal advantage of some unguarded hour, when he was irritated by finding his advice slighted, and that of Danby and Nottingham preferred. She was still a member of that Church which her son had quitted, and may have thought that, by reclaiming him from rebellion, she might make some atonement for the violation of her marriage vow and the murder of her lord.** What is certain is that, before the end of the spring of 1690, Shrewsbury had offered his services to James,

* See the Letters of Shrewsbury in Coxe's Correspondence, Part I. chap. i.

** That Lady Shrewsbury was a Jacobite, and did her best to make her son so, is certain from Lloyd's Paper of May 1694, which is among the Nairne MSS., and was printed by Macpherson.

and that James had accepted them. One proof of the sincerity of the convert was demanded. He must resign the seals which he had taken from the hand of the usurper.* It is probable that Shrewsbury had scarcely committed his fault when he began to repent of it. But he had not strength of mind to stop short in the path of evil. Loathing his own baseness, dreading a detection which must be fatal to his honour, afraid to go forward, afraid to go back, he underwent tortures of which it is impossible to think without commiseration. The true cause of his distress was as yet a profound secret: but his mental struggles and changes of purpose were generally known, and furnished the town, during some weeks, with topics of conversation. One night, when he was actually setting out in a state of great excitement for the palace, with the seals in his hand, he was induced by Burnet to defer his resignation for a few hours. Some days later, the eloquence of Tillotson was employed for the same purpose.** Three or four times the Earl laid the ensigns of his office on the table of the royal closet, and was three or four times induced, by the kind expostulations of the master whom he was conscious of having wronged, to take them up and carry them away. Thus the resignation was deferred till the eve of the King's departure. By that time agitation had thrown Shrewsbury into a low fever. Bentinck, who made a last effort to persuade him to retain office, found him in bed and too ill for conversation.*** The resignation so

* This is proved by a few words in a paper which James, in November 1692, laid before the French government. "Il y a," says he, "le Comte de Shrusbery, qui, étant Secrétaire d'Etat du Prince d'Orange, s'est défait de sa charge par mon ordre." One copy of this most valuable paper is in the Archives of the French Foreign Office. Another is among the Nairne MSS. in the Bodleian Library. A translation into English will be found in Macpherson's collection.

** Burnet, ii. 45.

*** Shrewsbury to Somers, Sept. 22. 1697.

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often tendered was at length accepted; and during some months Nottingham was the only Secretary of State.

The Council of Nine.

It was no small addition to William's troubles that, at such a moment, his government should be weakened by this defection. He tried, however, to do his best with the materials which remained to him, and finally selected nine privy councillors, by whose advise he enjoined Mary to be guided. Four of these, Devonshire, Dorset, Monmouth, and Edward Russell, were Whigs. The other five, Caermarthen, Pembroke, Nottingham, Marlborough, and Lowther, were Tories.*

William ordered the Nine to attend him at the office of the Secretary of State. When they were assembled, he came leading in the Queen, desired them to be seated, and addressed to them a few earnest and weighty words. "She wants experience," he said; "but I hope that, by choosing you to be her counsellors, I have supplied that defect. I put my kingdom into your hands. Nothing foreign or domestic shall be kept secret from you. I implore you to be diligent and to be united."** In private he told his wife what he thought of the characters of the Nine; and it should seem, from her letters to him, that there were few of the number for whom he expressed any high esteem. Marlborough was to be her guide in military affairs, and was to command the troops in England. Russell, who was Admiral of the Blue, and had been rewarded for the service which he had done at the time of the Revolution with the lucrative place of Treasurer of the Navy, was well fitted to

* Among the State Poems (vol. ii. p. 211.) will be found a piece which some ignorant editor has entitled, "A Satyr written when the K— went to Flanders and left nine Lords Justices." I have a manuscript copy of this satire, evidently contemporary, and bearing the date 1690. It is indeed evident at a glance that the nine persons satirised are the nine members of the interior council which William appointed to assist Mary when he went to Ireland. Some of them never were Lords Justices.

** From a narrative written by Lowther, which is among the Mackintosh MSS.

be her adviser on all questions relating to the fleet. But Caermarthen was designated as the person on whom, in case of any difference of opinion in the council, she ought chiefly to rely. Caermarthen's sagacity and experience were unquestionable: his principles, indeed, were lax: but, if there was any person in existence to whom he was likely to be true, that person was Mary. He had long been in a peculiar manner her friend and servant: he had gained a high place in her favour by bringing about her marriage; and he had, in the Convention, carried his zeal for her interests to a length which she had herself blamed as excessive. There was, therefore, every reason to hope that he would serve her at this critical conjuncture with sincere good will.*

Conduct of Clarendon.

One of her nearest kinsmen, on the other hand, was one of her bitterest enemies. The evidence which was in the possession of the government proved beyond dispute that Clarendon was deeply concerned in the Jacobite schemes of insurrection. But the Queen was most unwilling that her kindred should be harshly treated; and William, remembering through what ties she had broken, and what reproaches she had incurred, for his sake, readily gave her uncle's life and liberty to her intercession. But, before the King set out for Ireland, he spoke seriously to Rochester. "Your brother has been plotting against me. I am sure of it. I have the proofs under his own hand. I was urged to leave him out of the Act of Grace; but I would not do what would have given so much pain to the Queen. For her sake I forgive the past; but my Lord Clarendon will do well to be cautious for the future. If not, he will find that these are no jesting matters." Rochester communicated the admonition to Clarendon. Clarendon, who was in constant correspondence with Dublin and Saint Germains, protested that his only wish was to be quiet, and that, though he had a scruple about the oaths,

* See Mary's Letters to William, published by Dalrymple.

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the existing government had not a more obedient subject than he purposed to be.*

Penn held to bail.

Among the letters which the government had intercepted was one from James to Penn. That letter, indeed, was not legal evidence to prove that the person to whom it was addressed had been guilty of high treason; but it raised suspicions which are now known to have been well founded. Penn was brought before the Privy Council, and interrogated. He said very truly that he could not prevent people from writing to him, and that he was not accountable for what they might write to him. He acknowledged that he was bound to the late King by ties of gratitude and affection which no change of fortune could dissolve. "I should be glad to do him any service in his private affairs: but I owe a sacred duty to my country; and therefore I was never so wicked as even to think of endeavouring to bring him back." This was a falsehood; and William was probably aware that it was so. He was unwilling however to deal harshly with a man who had many titles to respect, and who was not likely to be a very formidable plotter. He therefore declared himself satisfied, and proposed to discharge the prisoner. Some of the Privy Councillors, however, remonstrated; and Penn was required to give bail.**

Interview between William and Burnet.

On the day before William's departure, he called Burnet into his closet, and, in firm but mournful language, spoke of the dangers which on every side menaced the realm, of the fury of the contending factions, and of the evil spirit which seemed to possess too many of the clergy. "But my trust is in God. I will go through with my work or perish in it. Only I cannot help feeling for the poor Queen;" and twice he repeated with unwonted tenderness, "the poor Queen." "If you love me," he added, "wait on her often, and give her what help you can.

* Clarendon's Diary, May 30. 1690.
** Gerard Croese.

As for me, but for one thing, I should enjoy the prospect of being on horseback and under canvass again. For I am sure I am fitter to direct a campaign than to manage your Houses of Lords and Commons. But, though I know that I am in the path of duty, it is hard on my wife that her father and I must be opposed to each other in the field. God send that no harm may happen to him. Let me have your prayers, Doctor." Burnet retired greatly moved, and doubtless put up, with no common fervour, those prayers for which his master had asked.*

William sets out for Ireland.

On the following day, the fourth of June, the King set out for Ireland. Prince George had offered his services, had equipped himself at great charge, and fully expected to be complimented with a seat in the royal coach. But William, who promised himself little pleasure or advantage from His Royal Highness's conversation, and who seldom stood on ceremony, took Portland for a travelling companion, and never once, during the whole of that eventful campaign, seemed to be aware of the Prince's existence.** George, if left to himself, would hardly have noticed the affront. But, though he was too dull to feel, his wife felt for him; and her resentment was studiously kept alive by mischiefmakers of no common dexterity. On this, as on many other occasions, the infirmities of William's temper proved seriously detrimental to the great interests of which he was the guardian. His reign would have been far more prosperous if, with his own courage, capacity and elevation of mind, he had had a little of the easy good humour and politeness of his uncle Charles.

In four days the King arrived at Chester, where a fleet of transports was awaiting the signal for sailing. He embarked on the eleventh of June, and was convoyed across Saint George's

* Burnet, ii. 46.
** The Duchess of Marlborough's Vindication.

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Channel by a squadron of men of war under the command of Sir Cloudesley Shovel.*

Trial of Crone.

The month which followed William's departure from London was one of the most eventful and anxious months in the whole history of England. A few hours after he had set out, Crone was brought to the bar of the Old Bailey. A great array of judges was on the Bench. Fuller had recovered sufficiently to make his appearance in court; and the trial proceeded. The Jacobites had been indefatigable in their efforts to ascertain the political opinions of the persons whose names were on the jury list. So many were challenged that there was some difficulty in making up the number of twelve; and among the twelve was one on whom the malecontents thought that they could depend. Nor were they altogether mistaken; for this man held out against his eleven companions all night and half the next day; and he would probably have starved them into submission had not Mrs. Clifford, who was in league with him, been caught throwing sweetmeats to him through the window. His supplies having been cut off, he yielded; and a verdict of Guilty, which, it was said, cost two of the jurymen their lives, was returned. A motion in arrest of judgment was instantly made, on the ground that a Latin word indorsed on the back of the indictment was incorrectly spelt. The objection was undoubtedly frivolous. Jeffreys would have at once overruled it with a torrent of curses, and would have proceeded to the most agreeable part of his duty, that of describing to the prisoner the whole process of half hanging, disembowelling, mutilating, and quartering. But Holt and his brethren remembered that they were now for the first time since the Revolution trying a culprit on a charge of high treason. It was therefore desirable

* London Gazettes, June 5. 12. 16. 1690; Hop to the States General from Chester, June $\frac{8}{18}$. Hop attended William to Ireland as envoy from the States.

to show, in a manner not to be misunderstood, that a new era had commenced, and that the tribunals would in future rather err on the side of humanity than imitate the cruel haste and levity with which Cornish had, when pleading for his life, been silenced by servile judges. The passing of the sentence was therefore deferred: a day was appointed for considering the point raised by Crone; and counsel were assigned to argue in his behalf. "This would not have been done, Mr. Crone," said the Lord Chief Justice significantly, "in either of the last two reigns." After a full hearing, the Bench unanimously pronounced the error to be immaterial; and the prisoner was condemned to death. He owned that his trial had been fair, thanked the judges for their patience, and besought them to intercede for him with the Queen.*

He was soon informed that his fate was in his own hands. The government was willing to spare him if he would earn his pardon by a full confession. The struggle in his mind was terrible and doubtful. At one time Mrs. Clifford, who had access to his cell, reported to the Jacobite chiefs that he was in a great agony. He could not die, he said: he was too young to be a martyr.** The next morning she found him cheerful and resolute.*** He held out till the eve of the day fixed for his execution. Then he sent to ask for an interview with the Secretary of State. Nottingham went to Newgate; but, before he arrived, Crone had changed his mind and was determined to say nothing. "Then," said Nottingham, "I shall see you no more; for tomorrow will assuredly be your last day." But, after Nottingham had departed, Monmouth repaired to the gaol, and flattered himself that he had shaken the prisoner's

* Clarendon's Diary, June 7. and 12. 1690; Narcissus Luttrell's Diary; Baden, the Dutch Secretary of Legation, to Van Citters, June $\frac{1}{18}$; Fuller's Life of himself; Welwood's Mercurius Reformatus, June 11. 1690.

** Clarendon's Diary, June 8. 1690.

*** Clarendon's Diary, June 10.

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resolution. At a very late hour that night came a respite for a week.* The week however passed away without any disclosure: the gallows and quartering block were ready at Tyburn: the sledge and axe were at the door of Newgate: the crowd was thick all up Holborn Hill and along the Oxford Road; when a messenger brought another respite, and Crone, instead of being dragged to the place of execution, was conducted to the Council chamber at Whitehall. His fortitude had been at last overcome by the near prospect of death; and on this occasion he gave important information.**

Danger of invasion and insurrection. Tourville's fleet in the Channel.

Such information as he had it in his power to give was indeed at that moment much needed. Both an invasion and an insurrection were hourly expected.*** Scarcely had William set out from London when a great French fleet commanded by the Count of Tourville left the port of Brest and entered the British Channel. Tourville was the ablest maritime commander that his country then possessed. He had studied every part of his profession. It was said of him that he was competent to fill any place on shipboard from that of carpenter up to that of admiral. It was said of him, also, that to the dauntless courage of a seaman he united the suavity and urbanity of an accomplished gentleman.† He now stood over to the English shore, and approached it so near that his ships could be plainly descried from the ramparts of Plymouth. From Plymouth he proceeded slowly along the coast of Devonshire and Dorsetshire. There was great reason to apprehend that his movements had been concerted with the English malecontents.††

* Baden to Van Citters, June $\frac{28}{30}$. 1690.; Clarendon's Diary, June 19.; Narcissus Luttrell's Diary.

** Clarendon's Diary, June 25.

*** Narcissus Luttrell's Diary.

† Memoirs of Saint Simon.

†† London Gazette, June 26. 1690; Baden to Van Citters, $\frac{\text{June 24.}}{\text{July 4.}}$.

The Queen and her Council hastened to take measures for the defence of the country against both foreign and domestic enemies. Torrington took the command of the English fleet which lay in the Downs, and sailed to Saint Helen's. He was there joined by a Dutch squadron under the command of Evertsen. It seemed that the cliffs of the Isle of Wight would witness one of the greatest naval conflicts recorded in history. A hundred and fifty ships of the line could be counted at once from the watchtower of Saint Catharine's. On the east of the huge precipice of Black Gang Chine, and in full view of the richly wooded rocks of Saint Lawrence and Ventnor, were mustered the maritime forces of England and Holland. On the west, stretching to that white cape where the waves roar among the Needles, lay the armament of France.

Arrests of suspected persons.

It was on the twenty sixth of June, less than a fortnight after William had sailed for Ireland, that the hostile fleets took up these positions. A few hours earlier, there had been an important and anxious sitting of the Privy Council at Whitehall. The malecontents who were leagued with France were alert and full of hope. Mary had remarked, while taking her airing, that Hyde Park was swarming with them. The whole board was of opinion that it was necessary to arrest some persons of whose guilt the government had proofs. When Clarendon was named, something was said in his behalf by his friend and relation, Sir Henry Capel. The other councillors stared, but remained silent. It was no pleasant task to accuse the Queen's kinsman in the Queen's presence. Mary had scarcely ever opened her lips at Council: but now, being possessed of clear proofs of her uncle's treason in his own handwriting, and knowing that respect for her prevented her advisers from proposing what the public safety required, she broke silence. "Sir Henry," she said, "I know, and every body here knows as well as I, that there is too much against my Lord Clarendon to leave

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him out." The warrant was drawn up; and Capel signed it with the rest. "I am more sorry for Lord Clarendon," Mary wrote to her husband, "than, may be, will be believed." That evening Clarendon and several other noted Jacobites were lodged in the Tower.*

Torrington ordered to give battle to Tourville.

When the Privy Council had risen, the Queen and the interior Council of Nine had to consider a question of the gravest importance. What orders were to be sent to Torrington? The safety of the State might depend on his judgment and presence of mind; and some of Mary's advisers apprehended that he would not be found equal to the occasion. Their anxiety increased when news came that he had abandoned the coast of the Isle of Wight to the French, and was retreating before them towards the Straits of Dover. The sagacious Caermarthen and the enterprising Monmouth agreed in blaming these cautious tactics. It was true that Torrington had not so many vessels as Tourville: but Caermarthen thought that, at such a time, it was advisable to fight, although against odds; and Monmouth was, through life, for fighting at all times and against all odds. Russell, who was indisputably one of the best seamen of the age, held that the disparity of numbers was not such as ought to cause any uneasiness to an officer who commanded English and Dutch sailors. He therefore proposed to send to the Admiral a reprimand couched in terms so severe that the Queen did not like to sign it. The language was much softened; but, in the main, Russell's advice was followed. Torrington was positively ordered to retreat no further, and to give battle immediately. Devonshire, however, was still unsatisfied. "It is my duty, Madam," he said, "to tell Your Majesty exactly what I think on a matter of this importance; and I think that my Lord Torrington is not a man to be trusted with the fate of three king-

* Mary to William, June 26. 1690; Clarendon's Diary of the same date; Narcissus Luttrell's Diary.

doms." Devonshire was right: but his colleagues were unanimously of opinion that to supersede a commander in sight of the enemy, and on the eve of a general action, would be a course full of danger; and it is difficult to say that they were wrong. "You must either," said Russell, "leave him where he is, or send for him as a prisoner." Several expedients were suggested. Caermarthen proposed that Russell should be sent to assist Torrington. Monmouth passionately implored permission to join the fleet in any capacity, as a captain, or as a volunteer. "Only let me be once on board; and I pledge my life that there shall be a battle." After much discussion and hesitation, it was resolved that both Russell and Monmouth should go down to the coast.* They set out, but too late. The despatch which ordered Torrington to fight had preceded them. It reached him when he was off Beachy Head. He read it, and was in a great strait. Not to give battle was to be guilty of direct disobedience. To give battle was, in his judgment, to incur serious risk of defeat. He probably suspected, — for he was of a captious and jealous temper, — that the instructions which placed him in so painful a dilemma had been framed by enemies and rivals with a design unfriendly to his fortune and his fame. He was exasperated by the thought that he was ordered about and overruled by Russell, who, though his inferior in professional rank, exercised, as one of the Council of Nine, a supreme control over all the departments of the public service. There seems to be no ground for charging Torrington with disaffection. Still less can it be suspected that an officer, whose whole life had been passed in confronting danger, and who had always borne himself bravely, wanted the personal courage which hundreds of sailors on board of every ship under his command possessed. But there is a higher courage of which Torrington was wholly destitute. He shrank from all responsibility, from the responsibility of

* Mary to William, June 28. and July 2. 1690.

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fighting, and from the responsibility of not fighting, and he succeeded in finding out a middle way which united all the inconveniences which he wished to avoid. He would conform to the letter of his instructions: yet he would not put every thing to hazard. Some of his ships should skirmish with the enemy: but the great body of his fleet should not be risked. It was evident that the vessels which engaged the French would be placed in a most dangerous situation, and would suffer much loss; and there is but too good reason to believe that Torrington was base enough to lay his plans in such a manner that the danger and loss might fall almost exclusively to the share of the Dutch. He bore them no love; and in England they were so unpopular that the destruction of their whole squadron was likely to cause fewer murmurs than the capture of one of our own frigates.

Battle of Beachy Head.

It was on the twenty ninth of June that the Admiral received the order to fight. The next day, at four in the morning, he bore down on the French fleet, and formed his vessels in order of battle. He had not sixty sail of the line, and the French had at least eighty; but his ships were more strongly manned than those of the enemy. He placed the Dutch in the van and gave them the signal to engage. That signal was promptly obeyed. Evertsen and his countrymen fought with a courage to which both their English allies and their French enemies, in spite of national prejudices, did full justice. In none of Van Tromp's or De Ruyter's battles had the honour of the Batavian flag been more gallantly upheld. During many hours the van maintained the unequal contest with very little assistance from any other part of the fleet. At length the Dutch Admiral drew off, leaving one shattered and dismasted hull to the enemy. His second in command and several officers of high rank had fallen. To keep the sea against the French after this disastrous and ignominious action was impossible. The Dutch ships which

had come out of the fight were in lamentable condition. Torrington ordered some of them to be destroyed: the rest he took in tow: he then fled along the coast of Kent, and sought a refuge in the Thames. As soon as he was in the river, he ordered all the buoys to be pulled up, and thus made the navigation so dangerous, that the pursuers could not venture to follow him.*

It was, however, thought by many, and especially by the French ministers, that, if Tourville had been more enterprising, the allied fleet might have been destroyed. He seems to have borne, in one respect, too much resemblance to his vanquished opponent. Though a brave man, he was a timid commander. His life he exposed with careless gaiety; but it was said that he was nervously anxious and pusillanimously cautious when his professional reputation was in danger. He was so much annoyed by these censures that he soon became, unfortunately for his country, bold even to temerity.**

Alarm in London.

There has scarcely ever been so sad a day in London as that on which the news of the Battle of Beachy Head arrived. The shame was insupportable: the peril was imminent. What if the

* Report of the Commissioners of the Admiralty to the Queen, dated Sheerness, July 18. 1690; Evidence of Captains Cornwall, Jones, Martin and Hubbard, and of Vice Admiral Delaval; Burnet ii. 52., and Speaker Onslow's Note; Mémoires du Maréchal de Tourville; Memoirs of Transactions at Sea by Josiah Burchett, Esq., Secretary to the Admiralty, 1703; London Gazette, July 3.; Historical and Political Mercury for July 1690; Mary to William, July 2.; Torrington to Caermarthen, July 1. The account of the battle in the Paris Gazette of July 15. 1690 is not to be read without shame: "On a sçeu que les Hollandois s'estoient très bien battus, et qu'ils s'estoient comportez en cette occasion en braves gens, mais que les Anglois n'en avoient pas agi de même." In the French official relation of the battle off Cape Bevézier, — an odd corruption of Pevensey, — are some passages to the same effect: "Les Hollandois combattirent avec beaucoup de courage et de fermeté; mais ils ne furent pas bien secondez par les Anglois." "Les Anglois se distinguèrent des vaisseaux de Hollande par le peu de valeur qu'ils montrèrent dans le combat."

** Life of James, ii. 409.; Burnet, ii. 5.

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victorious enemy should do what De Ruyter had done? What if the dockyards of Chatham should again be destroyed? What if the Tower itself should be bombarded? What if the vast wood of masts and yardarms below London Bridge should be in a blaze? Nor was this all. Evil tidings had just arrived from the Low Countries. The allied forces under Waldeck had, in the neighbourhood of Fleurus, encountered the French commanded by the Duke of Luxemburg. The day had been long and fiercely disputed. At length the skill of the French general and the impetuous valour of the French cavalry had prevailed.*

Battle of Fleurus.

Thus at the same moment the army of Lewis was victorious in Flanders, and his navy was in undisputed possession of the Channel. Marshal Humieres with a considerable force lay not far from the Straits of Dover. It had been given out that he was about to join Luxemburg. But the information which the English government received from able military men in the Netherlands and from spies who mixed with the Jacobites, and which to so great a master of the art of war as Marlborough seemed to deserve serious attention, was, that the army of Humieres would instantly march to Dunkirk and would there be taken on board of the fleet of Tourville.** Between the coast of Artois and the Nore not a single ship bearing the red cross of Saint George could venture to show herself. The embarkation would be the business of a few hours. A few hours more might suffice for the voyage. At any moment London might be appalled by the news that thirty thousand French veterans were in Kent, and that the Jacobites of half the counties of the kingdom were in arms. All the regular troops who could be assembled for the defence of the island did not amount to more than ten thousand men. It may be doubted

* London Gazette, June 30. 1690; Historical and Political Mercury for July 1690.

** Nottingham to William, July 15. 1690.

whether our country has ever passed through a more alarming crisis than that of the first week of July 1690.

Spirit of the nation.

But the evil brought with it its own remedy. Those little knew England who imagined that she could be in danger at once of rebellion and invasion: for in truth the danger of invasion was the best security against the danger of rebellion. The cause of James was the cause of France; and, though to superficial observers the French alliance seemed to be his chief support, it really was the obstacle which made his restoration impossible. In the patriotism, the too often unamiable and unsocial patriotism of our forefathers, lay the secret at once of William's weakness and of his strength. They were jealous of his love for Holland: but they cordially sympathized with his hatred of Lewis. To their strong sentiment of nationality are to be ascribed almost all those petty annoyances which made the throne of the Deliverer, from his accession to his death, so uneasy a seat. But to the same sentiment it is to be ascribed that his throne, constantly menaced and frequently shaken, was never subverted. For, much as his people detested his foreign favourites, they detested his foreign adversaries still more. The Dutch were Protestants: the French were Papists. The Dutch were regarded as selfseeking, grasping, overreaching allies: the French were mortal enemies. The worst that could be apprehended from the Dutch was that they might obtain too large a share of the patronage of the Crown, that they might throw on us too large a part of the burdens of the war, that they might obtain commercial advantages at our expense. But the French would conquer us: the French would enslave us: the French would inflict on us calamities such as those which had turned the fair fields and cities of the Palatinate into a desert. The hopgrounds of Kent would be as the vineyards of the Neckar. The High Street of Oxford and the close of Salisbury would be piled with ruins such as those which

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covered the spots where the palaces and churches of Heidelberg and Manheim had once stood. The parsonage overshadowed by the old steeple, the farmhouse peeping from among beehives and appleblossoms, the manorial hall embosomed in elms, would be given up to a soldiery which knew not what it was to pity old men or delicate women or sucking children. The words, "The French are coming," like a spell, quelled at once all murmurs about taxes and abuses, about William's ungracious manners and Portland's lucrative places, and raised a spirit as high and unconquerable as had pervaded, a hundred years before, the ranks which Elizabeth reviewed at Tilbury. Had the army of Humieres landed, it would assuredly have been withstood by almost every male capable of bearing arms. Not only the muskets and pikes but the scythes and pitchforks would have been too few for the hundreds of thousands who, forgetting all distinction of sect or faction, would have risen up like one man to defend the English soil.

The immediate effect therefore of the disasters in the Channel and in Flanders was to unite for a moment the great body of the people. The national antipathy to the Dutch seemed to be suspended. Their gallant conduct in the fight off Beachy Head was loudly applauded. The inaction of Torrington was loudly condemned. London set the example of concert and of exertion. The irritation produced by the late election at once subsided. All distinctions of party disappeared. The Lord Mayor was summoned to attend the Queen. She requested him to ascertain as soon as possible what the capital would undertake to do if the enemy should venture to make a descent. He called together the representatives of the wards, conferred with them, and returned to Whitehall to report that they had unanimously bound themselves to stand by the government with life and fortune; that a hundred thousand pounds were ready to be paid into the Exchequer; that ten

thousand Londoners, well armed and appointed, were prepared to march at an hour's notice; and that an additional force, consisting of six regiments of foot, a strong regiment of horse, and a thousand dragoons, should be instantly raised without costing the Crown a farthing. Of Her Majesty the City had nothing to ask, but that she would be pleased to set over these troops officers in whom she could confide. The same spirit was shown in every part of the country. Though in the southern counties the harvest was at hand, the rustics repaired with unusual cheerfulness to the musters of the militia. The Jacobite country gentlemen, who had, during several months, been making preparations for the general rising which was to take place as soon as William was gone and as help arrived from France, now that William was gone, now that a French invasion was hourly expected, burned their commissions signed by James, and hid their arms behind wainscots or in haystacks. The Jacobites in the towns were insulted wherever they appeared, and were forced to shut themselves up in their houses from the exasperated populace.*

Conduct of Shrewsbury.

Nothing is more interesting to those who love to study the intricacies of the human heart than the effect which the public danger produced on Shrewsbury. For a moment he was again the Shrewsbury of 1688. His nature, lamentably unstable, was not ignoble; and the thought, that, by standing foremost in the defence of his country at so perilous a crisis, he might repair his great fault and regain his own esteem, gave new energy to his body and his mind. He had retired to Epsom, in the hope that quiet and pure air would produce a salutary effect on his shattered frame and wounded spirit. But a few hours after the news of the Battle of Beachy Head had arrived, he

* Burnet, ii. 53, 54.; Narcissus Luttrell's Diary, July 7. 11. 1690; London Gazette, July 14. 1690.

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was at Whitehall, and had offered his purse and sword to the Queen. It had been in contemplation to put the fleet under the command of some great nobleman with two experienced naval officers to advise him. Shrewsbury begged that, if such an arrangement were made, he might be appointed. It concerned, he said, the interest and the honour of every man in the kingdom not to let the enemy ride victorious in the Channel; and he would gladly risk his life to retrieve the lost fame of the English flag.*

His offer was not accepted. Indeed, the plan of dividing the naval command between a man of quality who did not know the points of the compass, and two weatherbeaten old seamen who had risen from being cabin boys to be Admirals, was very wisely laid aside. Active exertions were made to prepare the allied squadrons for service. Nothing was omitted which could assuage the natural resentment of the Dutch. The Queen sent a Privy Councillor, charged with a special mission to the States General. He was the bearer of a letter to them in which she extolled the valour of Evertsen's gallant squadron. She assured them that their ships should be repaired in the English dockyards, and that the wounded Dutchmen should be as carefully tended as wounded Englishmen. It was announced that a strict inquiry would be instituted into the causes of the late disaster; and Torrington, who indeed could not at that moment have appeared in public without risk of being torn in pieces, was sent to the Tower.**

During the three days which followed the arrival of the disastrous tidings from Beachy Head the aspect of London was

* Mary to William, July 3. 10. 1690; Shrewsbury to Caermarthen, July 15.

** Mary to the States General, July 12.; Burchett's Memoirs; An important Account of some remarkable Passages in the Life of Arthur, Earl of Torrington, 1691.

gloomy and agitated. But on the fourth day all was changed. Bells were pealing: flags were flying: candles were arranged in the windows for an illumination: men were eagerly shaking hands with each other in the streets. A courier had that morning arrived at Whitehall with great news from Ireland.

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